

PLANNING COMMISSION REPORT



Meeting Date: February 27, 2019
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

McDowell Mountain Community Storage 23-ZN-2018

Request to consider the following:

1. A recommendation to City Council regarding a request by owner for a Zoning District Map Amendment from Planned Convenience Center, Environmentally Sensitive Lands (PCoC ESL) to Neighborhood Commercial, Environmentally Sensitive Lands (C-1 ESL) zoning on a +/- 4.7-acre site located at 10101 E McDowell Mountain Ranch Road (217-14-003M).

Goal/Purpose of Request

The applicant's request is to rezone to a commercial district that allows an internal community storage facility.

Key Items for Consideration

- Protecting the Rio Verde Canal
- Existing PCoC zoning does not allow the proposed use. Rezoning allows a wider variety of commercial uses.
- Amended Development Standards to reduce setbacks are proposed, which are subject to Development Review Board approval.

OWNER

Capital Services MMRR LLC
(480) 991-1111

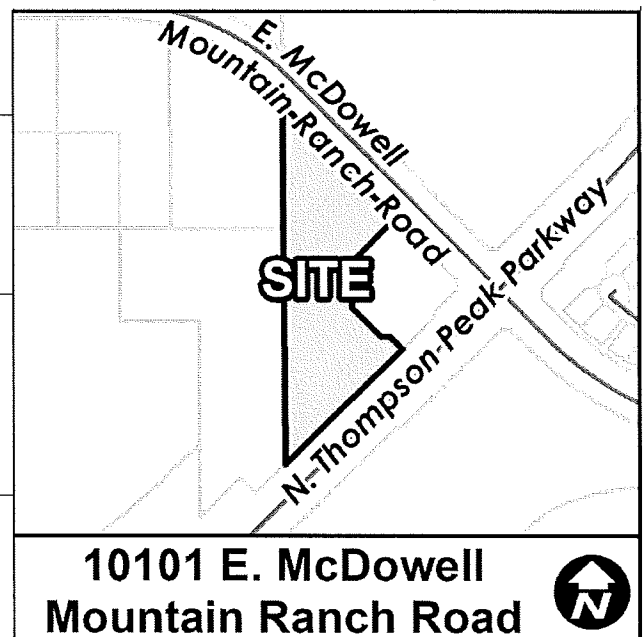
APPLICANT CONTACT

Michael Leary
(480) 991-1111

LOCATION

10101 E McDowell Mountain Ranch Rd

Action Taken _____



BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Commercial. This category includes areas designated for commercial centers providing goods and services.

Zoning

The site is zoned Planned Convenience Center, Environmentally Sensitive Lands (PCoC ESL). This zoning district is intended to provide basic convenience goods shopping and services within walking distance of nearby residents and has an Environmentally Sensitive Lands Overlay zoning designation. The subject property was annexed in 1972 (Ordinance 645) with Single family zoning and rezoned to the Planned Convenience Center, Environmentally Sensitive Lands in 1993 under case 74-ZN-1992. Internalized community storage is not a permitted use or conditional use in the Planned Convenience Center district.

Context

The subject property is located at 10101 E McDowell Mountain Ranch Road (217-14-003M) to the west of the existing gas station. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Apartment zoned Multiple Family Environmentally Sensitive Lands (R-5 ESL)
- South: Thompson Peak Parkway and City of Scottsdale property zoned Open Space Environmentally Sensitive Lands
- East: Gas station zoned Planned Convenience Center, Environmentally Sensitive Lands (PCoC ESL)
- West: Vacant land zoned Single Family Residential, Planned Community District, Environmentally Sensitive Lands (R1-35 PCD ESL) and vacant State Trust Land zoned Single Family Residential, Environmentally Sensitive Lands (R1-35 ESL)

Other Related Policies, References:

Scottsdale General Plan 2001, as amended

Zoning Ordinance

Transportation Master Plan

APPLICANTS PROPOSAL

Development Information

The development proposal is to rezone for an internalized community storage facility.

- Existing Use: vacant land
- Proposed Use: internalized community storage facility
- Buildings/Description: storage facility building
- Parcel Size: Gross 6.14 acres (279,651 square feet)

- Net 4.72 acres (205,657 square feet)
- Building Height Allowed: 36 feet from natural grade
- Building Height Proposed: 32 feet from natural grade
- Parking Required: 39 parking spaces
- Parking Provided: 14 parking spaces (requesting a parking reduction)
- Open Space Required: 37,017 square feet
- Open Space Provided: 60,766 square feet
- NAOS required: 32,837 square feet (with scarred credit for Rio Verde canal)
- NAOS provided: 42,788 square feet
- Floor Area Ratio Allowed: .8 (164,525.6 square feet)
- Floor Area Ratio Proposed: .47 (96,780 square feet)

IMPACT ANALYSIS

Land Use

The proposed zoning designation of Neighborhood Commercial, Environmentally Sensitive Lands (C-1 ESL) will permit an internalized community storage use and other commercial uses that are not permitted in the existing zoning district (Attachments 10 and 11). The site plan has been designed to preserve the Rio Verde canal as Natural Area Open Space. Amended Development Standards to reduce setbacks are proposed, which are subject to Development Review Board approval in ESL.

Airport Vicinity

The subject property is located within the Airport's AC-1 Influence area. Commercial uses are allowed, but a FAA determination on the structures is required.

Transportation/Trails

The proposed internalized community storage use is anticipated to generate 352 daily vehicle trips compared to a shopping center use under the current zoning which is anticipated at 1,934 daily vehicle trips. The Neighborhood Commercial district has some similar permitted uses as the existing zoning district. Parking for the proposed site requires 39 spaces, 14 spaces are provided. The applicant is requesting a parking reduction for the proposed use from City Council. The subject property has areas for additional parking if needed (Attachment #9).

Water/Sewer

The developer is responsible for constructing new water and sewer service to serve the site, and there are not anticipated impacts.

Public Safety

The nearest fire station is located at 16701 N 100th Street, approximately one mile. The subject site is served by Police District 4, Beat 18. The proposed development is not anticipated to have a negative impact on public safety services.

Natural Area Open Space

The development is required to dedicate 32,837 square feet of Natural Area Open Space with credit for the scarred area within the Rio Verde canal. The proposal has 42,788 square feet of Natural Area Open Space. The existing gas station property was split from this property without the City of Scottsdale approval. The gas station has no dedicated NAOS. This property will dedicate a perpetual easement of NAOS separate from their required NAOS to benefit the gas station property.

Community Involvement

The applicant mailed notification letters with the open house information to property owners within 750-feet of the subject site and a Project Under Consideration sign was posted on the site on October 25, 2018. The Open House meeting was held November 7, 2018 at McDowell Center located at 16116 N. McDowell Mountain Ranch Road. The applicant's public outreach report is attached to this report.

City staff mailed postcards to property owners within 750-feet of the subject site and interested parties when the case was submitted and a second postcard notifying them of the Planning Commission hearing date, time and location. Staff has received correspondence on this rezoning which is included as an attachment. Staff also received comments expressing concerns of reducing setbacks, which are subject to Development Review Board approval.

The applicant has posted a sign on the subject property with the hearing date, time and location.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan and make a recommendation to City Council for approval per the attached stipulations.

RESPONSIBLE DEPARTMENT(S)

Planning and Development Services

Current Planning Services


STAFF CONTACT(S)

Doris McClay
Senior Planner
480-312-4214
E-mail: dmcclay@ScottsdaleAZ.gov

APPROVED BY


Doris McClay, Report Author

2/15/19
Date


Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

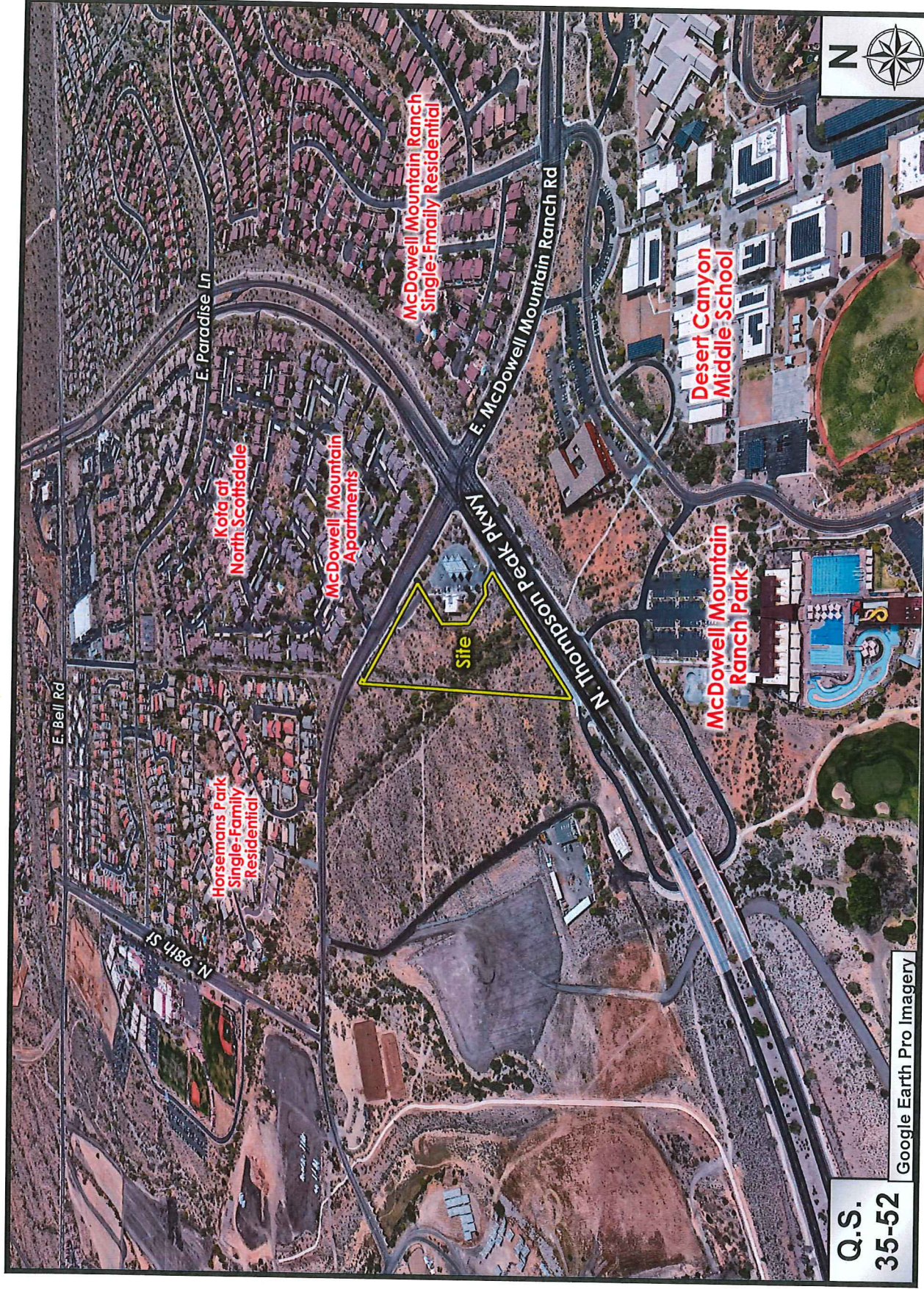
2/21/2019
Date


Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

2/22/19
Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Stipulations
 - Exhibit A to Attachment 2: Site Plan
 - Exhibit B to Attachment 2: No Disturbance Line
3. Additional Information
4. Applicant's Narrative
5. General Plan Land Use Map
6. Existing Zoning Map
7. Proposed Zoning Map
8. Traffic Impact Summary
9. Site Plan showing potential additional parking areas
10. Planned Convenience Center (PCoC) Use Table
11. Neighborhood Commercial (C-1) Use Table
12. Correspondence
13. Citizen Involvement
14. City Notification Map



Q.S.
35-52

Google Earth Pro Imagery

McDowell Mountain Community Storage

23-ZN-2018



Q.S.
35-52

Google Earth Pro Imagery



McDowell Mountain Community Storage

23-ZN-2018

**Stipulations for the Zoning Application:
McDowell Mountain Community Storage
Case Number: 23-ZN-2018**

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

SITE DESIGN

1. **ARCHAEOLOGICAL RESOURCES:** There shall be no disturbance within 10 feet of the Rio Verde Canal as shown on attached as Exhibit B to Exhibit 2 except for drainage purposes approved by the City's Stormwater department and the City's Archaeologist. Prior to issuance of any permits, a corral fence or other protection as approved by the Development Review Board shall be placed on the No-Disturbance Line. No Natural Area Open Space (NAOS) shall be released south and west of the No Disturbance Line.
2. **CONFORMANCE TO CONCEPTUAL SITE PLAN.** Development shall conform with the conceptual site plan submitted by James Elson Architect, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual site plan or traffic generation, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. **SIGNS.** No signs shall be installed along the north and west sides of the building
4. **ALTERATIONS TO NATURAL WATERCOURSES.** Any proposed alteration to the natural state of watercourses with a peak flow rate of 50 cfs or greater but less than or equal to 750 cfs based on the 100 year rain event shall be subject to Development Review Board approval.
5. **OUTDOOR LIGHTING.** With the first Development Review Board submittal, in addition to the requirements of Zoning Ordinance Section 7.600., the applicant shall provide a lighting plan demonstrating the following minimum standards are met:
 - a. Outdoor lighting shall be setback a minimum of 50 feet from the west property line.
 - b. Building-mounted lighting shall not exceed twelve (12) feet in height, measured from the finished grade to fixture lens.
 - c. Pole-mounted lighting shall be limited to sixteen (16) feet in height. Pole-mounted lighting shall be measured from finished grade at the base of the light standard to fixture lens.
 - d. With the exception of security lighting, no lighting shall be allowed on the west or north sides of the building.
6. **ACCESS RESTRICTIONS.** Access to the development project shall conform to the following restrictions:
 - a. No new access points to city rights-of-way shall be allowed.
 - b. Access points shall be provided by existing Thompson Peak Parkway and McDowell Ranch Road driveways.

DEDICATIONS

7. **NATURAL AREA OPEN SPACE EASEMENT (NAOS).** Prior to issuance of any permit, the owner shall dedicate a perpetual easement of NAOS benefiting the adjacent gas station property (APN 217-14-003L) and demonstrating that property's compliance with Natural Area Open Space requirement.

8. VEHICLE NON-ACCESS EASEMENT. Existing one-foot wide Vehicular Non-Access Easement along the Thompson Peak Parkway and McDowell Mountain Ranch Road lot lines shall remain in place.
9. MULTI-USE TRAIL EASEMENT. Prior to issuance of any permit, the owner shall dedicate minimum Twenty-Five (25) foot wide Public Non-Motorized Access Easement to the City of Scottsdale over the Rio Verde Canal and along the Thompson Peak Parkway site frontage.
10. BUFFERED SETBACK LOCATION, EASEMENT, AND IMPROVEMENTS. Prior to issuance of any permit for the development project, the owner shall dedicate a minimum 40-foot wide continuous Scenic Corridor Easement across the frontage along N. Thompson Peak Parkway. The width of the Scenic Corridor Easement shall be measured from N. Thompson Peak Parkway edge of right-of-way. Unless otherwise approved by the Development Review Board, the area within the Scenic Corridor Easement shall be left in a natural condition.
11. DESERT SCENIC ROADWAY SETBACK LOCATION, EASEMENT, AND IMPROVEMENTS. Prior to issuance of any permit for the development project, the owner shall dedicate a minimum 30-foot wide continuous Scenic Corridor Easement across the frontage along E. McDowell Mountain Ranch Road. The width of the Scenic Corridor Easement shall be measured from E. McDowell Mountain Ranch Road edge of right-of-way. Unless otherwise approved by the Development Review Board, the area within the Scenic Corridor Easement shall be left in a natural condition.
12. PRIVATE SEWER EASEMENT. Prior to the issuance of any permit for the development project, the owner shall dedicate a private sewer easement to adjacent parcel ownership for adjacent gas station property (APN 217-14-003L) sewer infrastructure crossing into project development boundaries.
13. TEMPORARY CONSTRUCTION EASEMENT. Prior to the issuance of any permit for the development project, the owner shall provide a temporary construction easement, or equivalent acceptable to city staff, from adjacent gas station property (APN 217-14-003L) for site modifications crossing project boundaries.
14. NON-MOTORIZED ACCESS EASEMENT. Prior to issuance of any permit for the development project, the owner shall demonstrate a continuous Non-Motorized Access Easement or Reciprocal Shared Access Easement exists from adjacent gas station property (APN 217-14-003L) to contain sidewalk connections from this site to city right-of-way in locations where the sidewalk crosses on to adjacent gas station property (APN 217-14-003L).
15. VEHICLE ACCESS EASEMENT. Prior to the issuance of any permit for the development project,
 - a. The owner shall demonstrate a continuous Vehicle Access Easement exists from adjacent gas station property (APN 217-14-003L) over shared drive aisles across adjacent parcel; and
 - b. The owner shall dedicate to adjacent gas station property (APN 217-14-003L) a continuous Vehicle Access Easement or Reciprocal Shared Access Easement over shared drive aisles across project development boundaries.
16. EMERGENCY AND SERVICES ACCESS EASEMENT. Prior to the issuance of any permit for the development project, the owner shall demonstrate an Emergency and Services Access Easement or Reciprocal Shared Access Easement from adjacent gas station property (APN 217-14-003L) and project development over portions of driveways and drive aisles crossing unto or on adjacent gas station property (APN 217-14-003L).

INFRASTRUCTURE

17. **CONSTRUCTION COMPLETED.** Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, whichever is first, for the development project, the owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations.
18. **STANDARDS OF IMPROVEMENTS.** All improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be designed and constructed in accordance with the applicable City of Scottsdale Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, the Design Standards and Policies Manual (DSPM), and all other applicable city codes and policies.
19. **WATER AND WASTEWATER IMPROVEMENTS.** The owner shall provide all water and wastewater infrastructure improvements, including any new service lines, connection, fire-hydrants, and man-holes, necessary to serve the development.
20. **FIRE HYDRANT.** The owner shall provide fire hydrant(s) and related water infrastructure adjacent to lot, in the locations determined by the Fire Department Chief, or designee.
21. **UTILITY LINES.** All existing above ground utility lines within and adjacent to project development, and any new or relocated utility lines, shall be place underground.

REPORTS AND STUDIES

22. **DRAINAGE REPORT.** With the Development Review Board submittal, the owner shall submit a Drainage report in accordance with the Design Standards and Policies Manual for the development project. In the drainage report, the owner shall address:
 - a. This site is required to retain the 100-year, 2 hour stormwater storage volume based on the fact that two existing onsite retention basins currently provide that volume. It appears the two basins exist on the shared property line of the adjacent gas station property (APN 217-14-003L) and the proposed McDowell Mountain Community Storage site, and of the total volume of the two basins, approximately half of it is on the adjacent gas station property (APN 217-14-003L) and approximately half is on the McDowell Mountain Community Storage site. This stormwater storage volume cannot be reduced, unless the owner provides information acceptable to city stormwater staff that allows for an alternate stormwater storage volume requirement. Shared drainage easements, as necessary, shall be provided.
 - b. Stormwater runoff from existing offsite flows creates a ponded stormwater volume along the north face of the Rio Verde Canal on this property. Any improvements on this site cannot displace this volume or increase the water surface elevation for a 100 year, 6 hr rain event, onto affected properties without written permission from the affected property owner(s).
 - c. The drainage report shall quantify the ponded stormwater storage volume under pre-development site conditions.
 - d. The site design shall provide the means to drain the ponded stormwater in less than 36 hours.
 - e. If this project increases the channel velocities directed into the north face of the Old Verde Canal, then the site design must provide appropriate facilities, best management practices, to de-energize the stormwater runoff conveyed from the new channel along the west property line, to the north face of the Rio Verde Canal. The goal is to prevent soil erosion along the north face of the Rio Verde Canal. The implements must bring the runoff velocity below the

recommended channel velocities for erosion control specified by the Flood Control District of Maricopa County. Provide a pre and post condition erosion analysis, document the method of analysis and successful results in the drainage report. Control measures may include rip rap, stilling pools and fanning/spreading out the grade contours. This stipulation will not apply if a city approved alternate conveyance method makes the erosion potential to the north face irrelevant.

- f. The owner is considering a few alternate methods to convey the offsite stormwater runoff flows through the site. Depending on which method the City approves, items 22. b through e, may or may not apply.
23. FAA DETERMINATION. With the Development Review Board Application, the owner shall submit a copy of the FAA Determination letter on the FAA FORM 7460-1 for any proposed structures and/or appurtenances that penetrate the 100:1 slope. The elevation of the highest point of those structures, including the appurtenances, must be detailed in the FAA form 7460-1 submittal.

McDOWELL MOUNTAIN COMMUNITY STORAGE
for the BELL GROUP, LLC
10101 E. McDowell Mountain Ranch Road
Scottsdale, AZ 85255

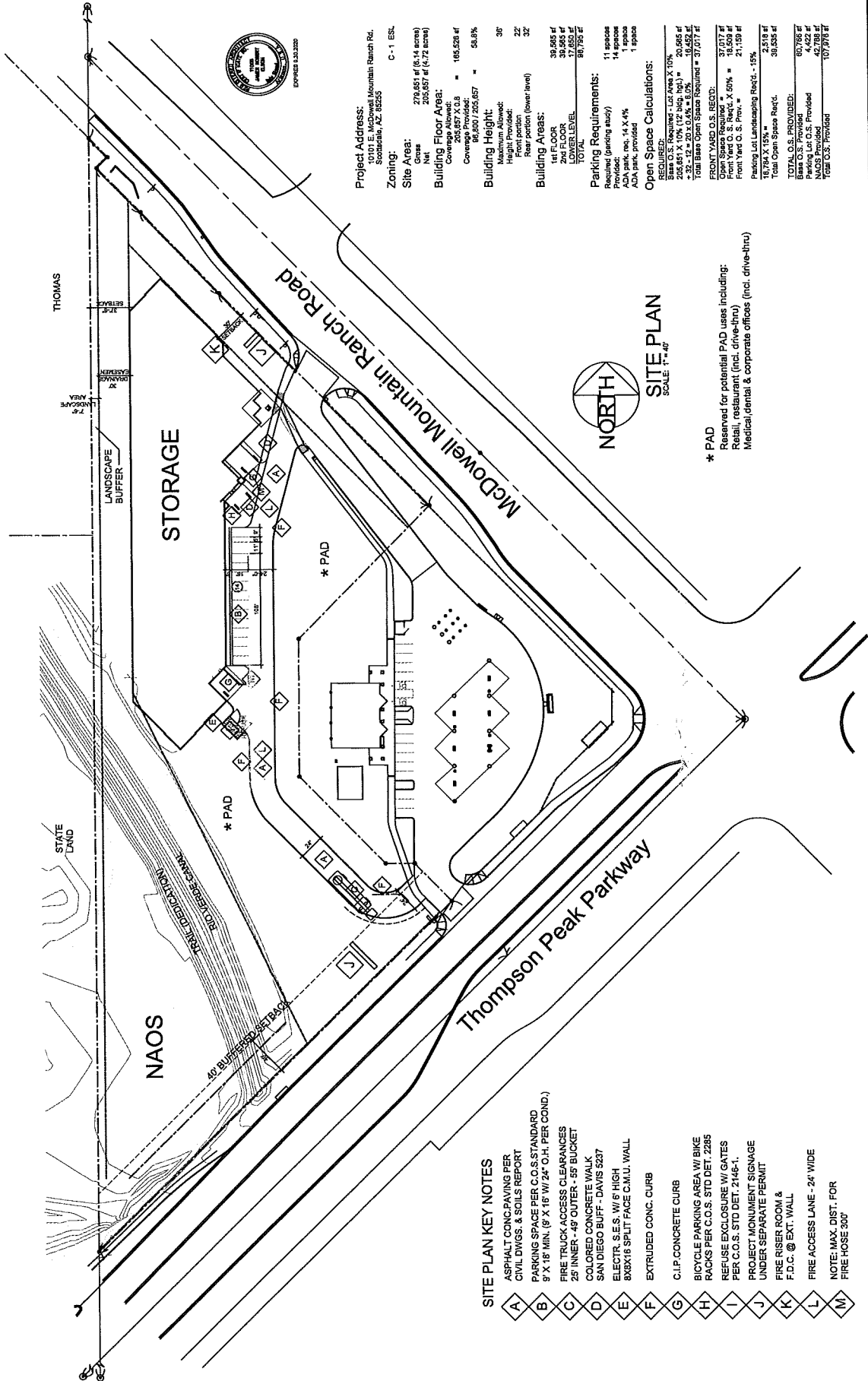
DATE: 11.4.18
REVISED: 12.26.18
CDS: JCD

james
architect

10101 E. McDowell Mountain Ranch Road
Scottsdale, AZ 85255

912.245.2311
james@jamesarchitect.com

SD1
SITE PLAN



Project Address:
10101 E. McDowell Mountain Ranch Rd.
Scottsdale, AZ 85255

Zoning: C-1 ES

Site Area:
Gross Acreage: 270.651 ac (6.14 acres)
Net Acreage: 205.657 ac (4.72 acres)

Building Floor Area:
Gross Floor Area: 205,657 sq. ft.
Coverage Allowed: 165,526 sq. ft.
Coverage: 80.5%

Building Height:
Maximum Allowed: 36'
Height Provided: 22'

Building Areas:
1st Floor: 39,595 sq. ft.
2nd Floor: 16,750 sq. ft.
Total: 56,345 sq. ft.

Parking Requirements:
Required (parking only): 11 spaces
Provided: 14 spaces
ADA park. req. 14 X 4%
ADA park. provided: 1 space

Open Space Calculations:
Required: 18,784 X 15% = 2,818 sq. ft.
Provided: 39,595 sq. ft.
Total Open Space Provided: 39,595 sq. ft.

Basins O.S. Provided: 60,762 sq. ft.
Parking Lot O.S. Provided: 4,722 sq. ft.
Total O.S. Provided: 65,484 sq. ft.

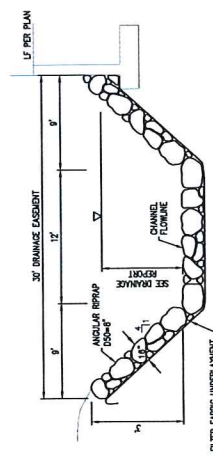
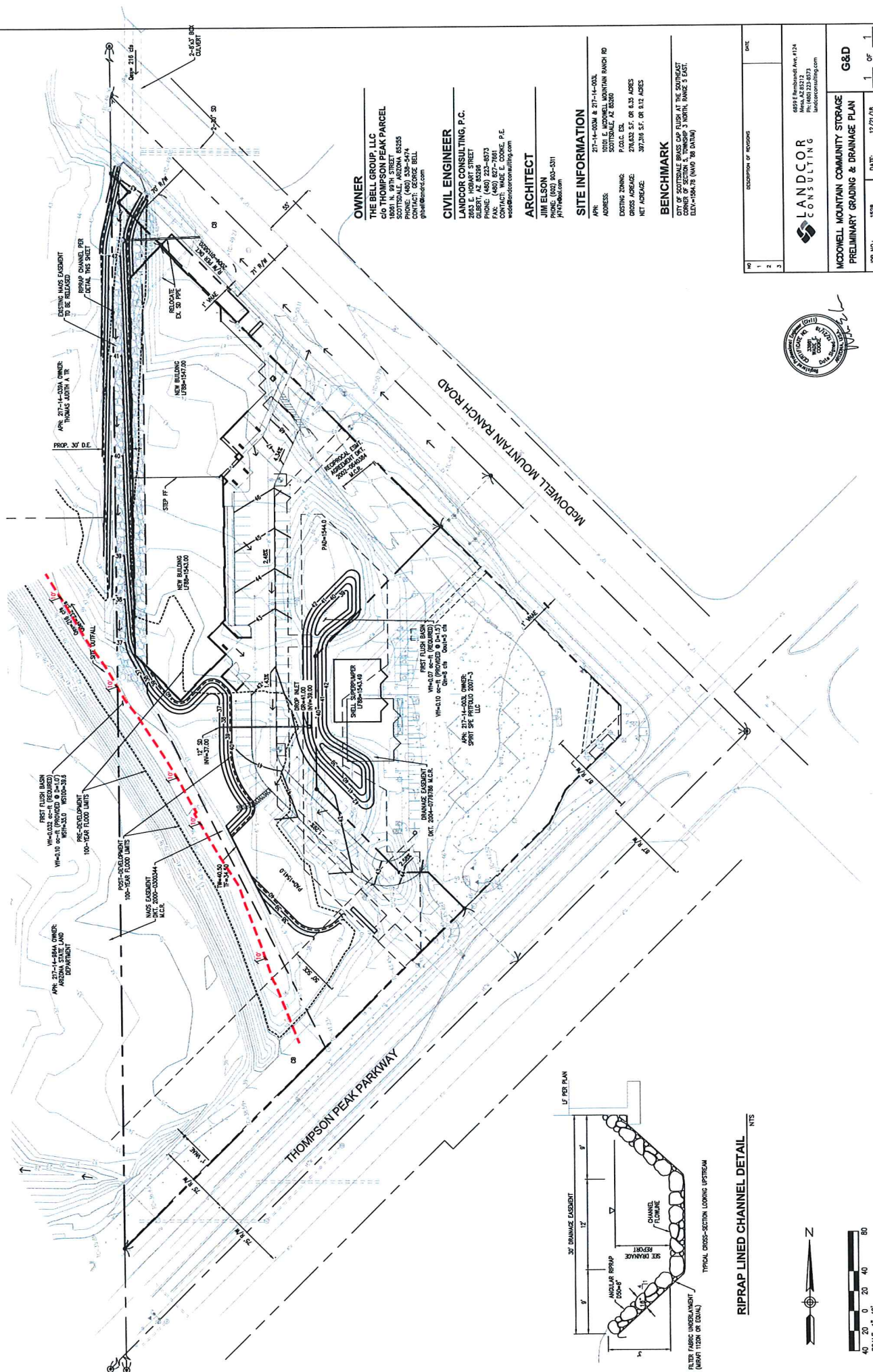
* PAD
Reserved for potential PAD uses including:
Retail, restaurant (incl. drive-thru)
Medical, dental & corporate offices (incl. drive-thru)

SITE PLAN KEY NOTES

- A ASPHALT CONC. PAVING PER CIVIL DWGS. & SOILS REPORT
- B PARKING SPACE PER C.O.S. STANDARD 9' X 18' MIN. (9' X 15' W/ 24" O.H. PER COND.)
- C FIRE TRUCK ACCESS CLEARANCES 25' INNER - 49' OUTER - 55' BUCKET
- D COLORED CONCRETE WALK
- E SAN DIEGO BUFF - DAYS 5237
- F ELECTR. S.E.S. W/ 6' HIGH 8X8X16 SPLIT FACE C.M.U. WALL
- G EXTRUDED CONC. CURB
- H C.I.P. CONCRETE CURB
- I BICYCLE PARKING AREA W/ BIKE RACKS PER C.O.S. STD DET. 2205
- J REFUSE ENCLOSURE W/ GATES PER C.O.S. STD DET. 2146-1
- K PROJECT MONUMENT SIGNAGE UNDER SEPARATE PERMIT
- L FIRE RISER ROOM & F.D.C. @ EXT. WALL
- M FIRE ACCESS LANE - 24' WIDE

NOTE: MAX. DIST. FOR FIRE HOSE 300'

PRELIMINARY GRADING & DRAINAGE PLAN



TIYPICAL CROSS-SECTION DETAIL

OWNER
THE BELL GROUP, LLC
C/O THOMPSON PEAK PARCEL
18001 N. 99TH STREET
SCOTTSDALE, AZ 85255
PHONE: (480) 533-5474
CONTACT: GEORGE BELL
gbell@bellgroup.com

CIVIL ENGINEER
LANDCOR CONSULTING, P.C.
2803 E. HOBART STREET
GILBERT, AZ 85296
PHONE: (480) 533-5474
FAX: (480) 533-5473
CONTACT: WAD E. COOKE, P.E.
wcooke@landcorconsulting.com

ARCHITECT
JIM ELSON
PHONE: (480) 533-5474
jim@jimelson.com

SITE INFORMATION
APN: 217-14-003A & 217-14-003B
ADDRESS: 18001 N. 99TH STREET, THOMPSON PEAK PARCEL
SCOTTSDALE, AZ 85255
EXISTING ZONING: P.C.D.C. 102
GROSS AREA: 278,632 S.F. OR 6.33 ACRES
NET AREA: 397,316 S.F. OR 9.12 ACRES

BENCHMARK
CITY OF SCOTTSDALE BRASS CAP BLUSH AT THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 5 EAST.
ELEV=1504.75 (NAD 83 DATUM)



DATE	12/21/18
DESCRIPTION OF REVISIONS	
1	
2	
3	

6899 E. Rembrandt Ave. #124 Mesa, AZ 85205 Phone: (480) 533-5473 landcorconsulting.com	LANDCOR CONSULTING
MODWELL MOUNTAIN COMMUNITY STORAGE	G&D
PRELIMINARY GRADING & DRAINAGE PLAN	
1528	1 OF 1

Additional Information for:
McDowell Mountain Community Storage
Case: 23-ZN-2018

PLANNING/DEVELOPMENT

1. **DEVELOPMENT CONTINGENCIES** Each element of this zoning case—including density/intensity, lot/unit placement, access and other development contingencies—may be changed as more information becomes available to address public health, safety and welfare issues related to drainage, open space, infrastructure and other requirements.
2. **PROTECTION OF ARCHAEOLOGICAL RESOURCES.** Any development on the property is subject to the requirements of Scottsdale Revised Code, Chapter 46, Article VI, Protection of Archaeological Resources, Section 46-134 - Discoveries of archaeological resources during construction.
3. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. a plan indicating the treatment of washes and wash crossings,
 - b. wall design,
 - c. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - d. scenic corridors and buffered parkways,
 - e. major stormwater management systems,
 - f. Vista Corridor watercourses (all watercourses with a 100 year flow of 750 cfs or greater),
 - g. alterations to natural watercourses (all watercourses with a 100 year flow of 250 cfs to 749 cfs),
 - h. walls adjacent to Vista Corridors and NAOS, and
 - i. signage.
3. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
4. **EASEMENTS DEDICATED BY PLAT.** The owner shall dedicate to the city on the final plat, all easements necessary to serve the site, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
5. **EASEMENTS CONVEYED BY SEPARATE INSTRUMENT.** Prior to issuance of any building permit for the development project, each easement conveyed to the city separate from a final plat shall be conveyed by an instrument or map of dedication subject to city staff approval, and accompanied by a title policy in favor of the City, in conformance with the Design Standards and Policies Manual.

6. FEES. The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.

REZONING REQUEST

Case # 23-ZN-2018

for

McDowell Mountain Community Storage

10101 E. McDowell Mountain Ranch Road

by

The Bell Group

Prepared by

Michael Leary
Michael P. Leary LTD
10278 E. Hillery Drive
Scottsdale, AZ 85255

Submitted: February 18, 2019

NARRATIVE

I. INTRODUCTION

The Bell Group has contracted to purchase and develop a 4.7 acre parcel located west of the southwest corner of Thompson Peak Parkway (TPP) and McDowell Mountain Ranch Road (MMRR). The request is to rezone the property from PCoC ESL (Planned Convenience Center - Environmentally Sensitive Lands) to C-1 ESL (Neighborhood Commercial – Environmentally Sensitive Lands) to allow the development of secure, climate controlled, indoor self-storage facility. An “internalized community storage (“ICS”) use is a permitted use in C-1 and the request is in conformance with the General Plan Land Use designation of “Commercial”.

II. SITE AND SURROUNDING PROPERTIES

The site is an irregularly shaped and narrow remnant that was originally part of the Superpumper property located on the hard corner. The Dakota apartments are immediate across MMRR to the north. Across TPP to the east is the Arabian Library and Aquatic Center. To the west and south are a few vacant properties that are General Planned for “office” and “urban residential”. Further south is Westworld’s support facility which includes the CAP water retention basin. The property has a segment of the Old Rio Verde Canal which has been obliterated throughout its length in Phoenix and Scottsdale (including thru Westworld) and is not on any National, State or Scottsdale Historic Register.

III. PROPOSED DEVELOPMENT

The proposed development consists of a 665 unit indoor-only, climate-controlled and secured self-storage facility. Access to TPP and MMRR is through the two existing drives. Two building pads and associated parking are being reserved should there be future interest in small retail/office use. The initial improvements will only include the storage building and parking required for the storage use. An otherwise usable southern portion of the property is being left in its natural state and includes the old Rio Verde Canal which has been reclaimed by dense native vegetation and qualifies as NAOS.

IV. GENERAL PLAN REVIEW

The current and proposed zoning classifications are consistent with the General Plan Land Use “Commercial” classification and both are “neighborhood” zoning districts. The proposed use provides greater benefits in satisfying the overall General Plan’s goals per attachment A.

V. REZONING JUSTIFICATION

The decades old miss-application of PCoC zoning on the property is the primary reason why the property hasn’t developed in the last 25 years. The property was zoned as part of the 3,200 acre McDowell Mountain Ranch Master Plan approved in 1993. The PCoC district was a well-intended planning attempt to imbed into neighborhoods very limited and small retail uses (originally 1,000 sf max per use with residential units above) on parcels no greater than 1 acre. The PCoC goal was to encourage - in suburban settings - what historically has worked in urban

settings. Predictably the concept was less than successful as there are only two properties in the City having PCoC zoning - the subject and one south of Cactus on 94th Street (the southern continuation of Thompson Peak Parkway). Neither site is imbedded in neighborhoods but instead located on arterial streets.

The 7.2 acres (subject site and Superpumper) were zoned PCoC even though the PCoC maximum property size was amended as part of the MMR rezoning and increased from 1 acre to 3 acres. The anomaly was not realized when the gas station was developed. The error has technically eliminated any development rights on the property due its 4.7 acre size being well in excess of the 3-acre maximum. Rezoning the property to C-1 would remedy the non-conformance as there is no maximum property size.

As in the case of other similar requests approved by the City, a self-storage facility generates minimal traffic, works well on difficult to develop properties, has minimal demand on City services, and provides significant economic benefits to the City.

VI. PARKING REDUCTION JUSTIFICATION

The submitted parking demand study substantiates that storage facilities generate far fewer spaces than currently required by ordinance. Previous parking studies for other facilities in the City have reached the same conclusion and have been the basis for routine approvals of 20% reductions allowed at a staff level. However those same studies have indicated a significantly greater reduction is warranted. In previous discussions with staff regarding a text amendment, significantly greater reductions have been supported. In the absence of a text amendment the only additional relief mechanism is through the City Council. Understandably most developers avoid the public hearing process to achieve reductions that reflect true demand. As the proposed McDowell Mountain Community Storage facility is already in the public hearing process, requesting the parking reduction is believed as a way to further meet many of the stated goals of the General Plan in encouraging environmentally sensitive and sustainable development that respects the desert setting by reducing solar heat gain, minimizing impervious surfaces and runoff, and utilizing best practices and smart development.

An example of another parking study that supports further reductions is one conducted by SWTE for the Wentpro facility under construction at 17492 N. 91st Street. At 120,520 sf the parking requirement is 48 spaces yet the parking study calculated 13 as stated below. By comparison our proposed project is 96,800 sf and the Kimley-Horn parking study indicates 11 spaces and we are providing 14. Site reviews of the three most closest and comparable facilities – Life Storage at 116th/Shea, StorQuest at 94th/Via Linda and Life Storage at 94th/Bell - demonstrated that the current requirement far exceeds the actual need.

ATTACHMENT A

GENERAL PLAN REVIEW

The current and proposed zoning classifications are consistent with the General Plan Land Use “commercial” classification. However the proposed use provides greater benefits in satisfying the Plan’s goals.

Character and Design Element

- Goal #1 – *“Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.”*

Response: - This remnant of the triangular-shaped PCoC zoned property is located at the intersection of two arterial streets, adjoins undeveloped property to west and overlooks back-of-the-house functions of Westworld including RV and horse trailer storage, material and equipment staging, and the large CAP water retention basin. The only residential is north of McDowell Mountain Ranch Road consisting of the Dakota apartments and further west is the Horseman’s Park single-family subdivision. The proposed development provides a valued use in an area that is underserved. Through its quiet and low intensity use, setbacks, building design, excess NAOS/landscaping and site design, the proposed development will be a “benign” neighbor.

Land Use Element

- Goal #3 – *“Encourage the transition of land uses from more intense regional and citywide activity area to less intense activity areas within local neighborhoods.”*

Response: – The proposed development is consistent with the language in the General Plan regarding the provision of “transitions of land uses to less intense activity areas within local neighborhoods”. The low-intensity use and its location separated from residential provides a positive transition to the less-than-attractive support activities within Westworld.

- Goal #4 – *“Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.”*

Response: - The proposed development should easily integrate with the immediate area while providing a valued community-wide use.

Economic Vitality Element

- Goal #3 – *“Encourage and support a diversity of businesses that contribute to Scottsdale’s sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.”*

Response: - The remnant parcel has been vacant since McDowell Mountain Ranch developed in the 90’s. Development of the property will result in a substantially increased valuation of the property and a resultant increase in City’s collection of property taxes and sales taxes.

Community Involvement Element

- Goal #1 – *“Seek early and ongoing involvement in project/policy-making discussions.”*

Response: - The applicant has contacted interested parties and property owners within 750' of the property, met with representatives of the McDowell Mountain HOA, and held an Open House for those wishing an in-person presentation of the proposal. The McDowell Mountain Ranch HOA also forwarded our notification letter to its 3,400 residents. Further opportunities will be made available for future communication.

Housing Element

- Goal #1 – *“Preserve the quality of existing dwellings and neighborhoods so that people will find our community a healthy, safe and attractive place to call home today and into the future.”*

Response: – The project will provide a high-quality use and development which should have a positive effect on neighboring properties.

Neighborhoods Element

- Goal #1 – *“Enhance and protect diverse neighborhoods so they are safe and well maintained.”*

Response: - In turning a vacant remnant parcel into a positive neighborhood amenity, the proposed development will enhance the stability of the surrounding properties.

- Goal #5 – *“Promote and encourage context-appropriate new development in established areas of the community.”*

Response: - As previously stated, the proposed development is a benign use in an already established master-planned community. Through its quiet and low intensity use, setbacks, building design, landscaping, and site design, the proposed development will provide a quality, contextually sensitive and appropriate use given its unique location.

Open Space and Recreation Element

- Goal #8 – *“Provide access to educational, recreational, and cultural services for all residents.”*

Response: – A significant amount of NAOS in excess of the requirement will be provided as well as potential segment to a future trail.

Preservation and Environmental Planning Element

- Goal #4 – *“Reduce energy consumption and promote energy conservation.”*

Response: – The low-intensity use greatly reduces the amount of vehicular activity, reduces the amount of paved parking, and has a minimal water/sewer demand. The building design minimizes glazing and there will be no windows on the solar-intense west side of the building.

- Goal #5 – *“Conserve water and encourage the reuse of wastewater.”*

Response: - The landscaping palette will consist of low-water and drought tolerant planting. Salvageable trees will be incorporated into the landscape design.

- Goal #7 – *“Promote local and regional efforts to improve air quality.”*

Response: - As previously mentioned the nature of the use supports local and regional air quality efforts.

Cost of Development Element

- Goal #1 – *“Present quick tabular and graphic analyses and reviews to city elective and appointive bodies and the general public by using fiscal impact modeling.”*

Response: – As a low intensity development of a vacant property that is already served by existing infrastructure, the use will produce a significant positive gain for the City especially in comparison to its current undeveloped state.

Growth Areas Element

- Goal #1 – *“Direct and sustain growth and expansion in areas of the city that can support a concentration of a variety of uses and are particularly suitable for multimodal transportation and infrastructure expansion and improvements.”*

Response: - The property is the last parcel within McDowell Mountain Ranch to develop.

- Goal #7 – *“Provide a safe environment for all Scottsdale citizens, visitors, and private interests by alleviating physical risks that may be encountered in the normal operation and development of the community.”*

Response: - The development will provide enhanced security which doesn’t currently exist in the area.

Community Mobility Element

- Goal #5 – *“Relieve traffic congestion.”*

Response: - The low-intensity storage use results in daily trips being reduced by 82 % when compared to a typical retail center.

CHARACTER AND DESIGN ELEMENT

3. **Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.**

- Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.

The property is isolated from residential areas and adjoins an existing service station, Westworld’s barren detention basin, and planned multi-family/office on three remaining small properties to the west.

4. **Encourage “streetscapes” for major roadways that promote the city’s visual quality and character, and blend into the character of the surrounding area.**

A 40’ Buffered Setback is provided along Thompson Peak Pkwy along with an NAOS easement comprising the Old Verde Canal and area immediately south.

- Ensure compatibility with the natural desert in **Natural** streetscape areas. Plant selection should be those that are native to the desert and densities of planting areas should be similar to natural conditions.
The streetscape along Thompson Peak Parkway is retained in its desert natural state and plantings along McDowell Mountain Ranch Road will be revegetated with native desert plants.
- 7. **Encourage sensitive outdoor lighting that reflects the needs and character of different parts of the city.**
Building lighting is proposed on the east elevation facing TPP and not the north or west elevations. No pole lighting is proposed which supports the dark sky goal.

OPEN SPACE ELEMENT

1. **Protect and improve the quality of Scottsdale's natural and urban environments as defined in the quality and quantity of its open spaces.**
The Old Verde Canal and the area south of the canal are being retained in their native desert state and secured by an NAOS easement.
- Develop a non-paved public trail system for hiking, mountain biking, and horseback riding and link these trails with other city and regional trails.
A non-paved trail is being required although the need is questionable based upon the other pathways immediately south which begin and end on TPP and MMRR.
- Protect the visual quality of open space, unique city characteristics, and community landmarks.
Although not on the Scottsdale Historic Register the Old Verde Canal is being retained in its natural state.
- Preserve scenic views and vistas of mountains, natural features, and rural landmarks.
As mentioned above, although not on the Scottsdale Historic Register the Old Verde Canal is being retained in its natural state.
- Relate the character of open spaces to the uses and character of different areas of the city.
Open spaces are predominantly maintained with the Old Verde Canal and the area immediately south which responds to the goals of the ESL ordinance.
- Preserve and integrate visual and functional connections between major city open spaces into the design of development projects.
Open space/NAOS areas are provided along TPP and MMRR.

- Evaluate open space design with these primary determinants: aesthetics, public safety, maintenance needs, water consumption, drainage considerations, and multi-use and desert preservation.
The ordinance required open space is greatly exceeded by an NAOS area which maximizes the desert aesthetics, requires minimal if any maintenance, and has zero water consumption. Existing drainageways are retained..
- Promote project designs that are responsive to the natural environment, people's needs, site conditions, and indigenous architectural approaches to provide unique character for the city.
The proposed development maintains the native desert environment, provides a neighborhood and community use that doesn't exist in the area, and the architectural approach will be defined as part of the DRB process.
- Apply a **Scenic Corridor** designation along major streets to provide for open space and opportunities for trails and paths. This designation should be applied using the following guidelines:
 - * There is a need for a landscaped buffer between streets and adjacent land uses.
 - * An enhanced streetscape appearance is desired.
 - * Views to mountains and natural or man-made features will be enhanced.*Although TPP is not a Scenic Corridor a 40' Buffered Setback is provided.*
- Consider Buffered Roadways to provide the streetscape with a unique image that should also reduce the impacts of a major street on adjacent parcels. This type of designation is primarily an aesthetic buffer.
As stated above a 40' Buffered Setback is provided along TPP.
- Apply a Desert Scenic Roadway designation along the one mile and a half mile streets within the Environmentally Sensitive Lands Ordinance (ESLO) district that are not classified as scenic Corridors or Buffered Roadways to maintain and enhance open space along roadways in ESL areas.
Desert Scenic Roadways are to be located on one-mile and half-mile roadways within ESL. MMRR is located approximately 3,800' south of Bell Road (not 5,280' or 2,640') and exists for just 2 miles from 96th Street to Bell Road. As such MMRR doesn't meet the criteria or intent.
- Apply up to a 100 foot scenic buffer along streets within and adjacent to the Recommended Study Boundary of the McDowell Sonoran Preserve on undeveloped (as of 10-04-2005) properties of 25 acres or larger.
Does not apply.

3. **Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.**
 - Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.
Storage facilities are considered an extremely benign use as they generate very little traffic and little to no on-site or off-site impacts.

LAND USE ELEMENT

3. **Encourage and support a diversity of businesses that contribute to Scottsdale's sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.**
The proposed use increases property taxes and generates sale taxes while providing a service that is missing in the area and which doesn't put a burden on infrastructure or City services.
7. **Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.**
 - Protect sensitive natural features from incompatible development, and maintain the integrity of natural systems.
The Old Verde Canal is being retained in its natural state.
 - Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.
The property is isolated from nearby – not surrounding – neighborhoods. The rezoning request is from one neighborhood classification (PCoC) to another similar neighborhood district (C-1).
 - Focus intense land uses along major transportation networks (such as the Pima Freeway and major arterial streets) and in urban centers (such as Old Town and the Airpark). Less intense land uses should be located within more environmentally sensitive lands.
The storage facility is an extremely benign use and is located within ESL.
 - Sensitively integrate neighborhood services, schools, parks, and other civic amenities into the local physical and natural environments by establishing reasonable buffers and preserving the integrity of the natural terrain and open space networks.

Does not apply

- Incorporate open space, mobility, and drainage networks while protecting the area's character and natural systems.

The vast amount of NAOS, proposed trail and roadway sidewalks satisfy this goal. Drainageways are unaffected by the proposal.

ECONOMIC VITALITY ELEMENT

3. **Encourage and support a diversity of businesses that contribute to Scottsdale's sales and property tax base so that needed infrastructure, physical amenities, services, and the expansion of such services are provided.**

The proposal replaces a vacant parcel with inconsequential property taxes and no sales tax with a commercial facility that greatly increases property taxes and generates sales tax revenue. The business has extremely low impact on the environment, infrastructure and City services. No residency is associated with the use and 2-3 individuals will be employed.

ENVIROMENTAL PLANNING ELEMENT

10. **Encourage environmentally sound "green building" alternatives that support sustainable desert living.**

- Incorporate healthy, resource- and energy-efficient materials and methods in design, construction, and remodeling of buildings.

Green building concepts will be incorporated with the development of the property. Significantly, the number of parking spaces are proposed to be eliminated thereby reducing pavement materials and the contribution to the heat island effect.

- Protect and enhance the natural elements of all development sites.

The vast NAOS/Open Space retain the natural elements of the site.

- Improve the energy efficiency of the building envelope, equipment, and appliances.

The building does not require glazing on the sun intensive west elevation which greatly reduces solar heat gain. Energy efficient equipment will be utilized.

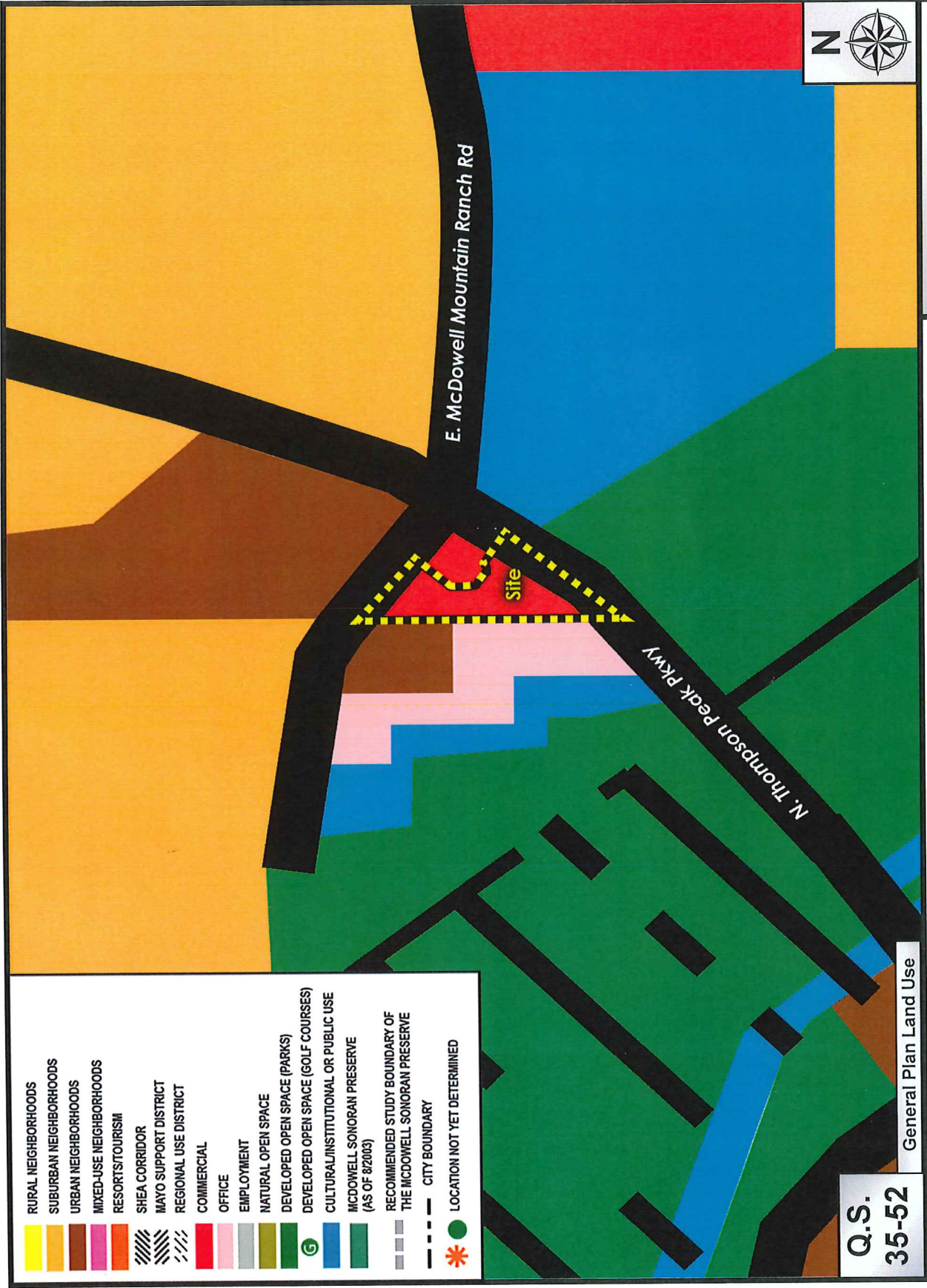
- Use low impact building materials.

The majority of the building façade will utilize concrete block which is locally manufactured.

COMMUNITY MOBILITY ELEMENT

11. Provide opportunities for building “community” through neighborhood mobility.

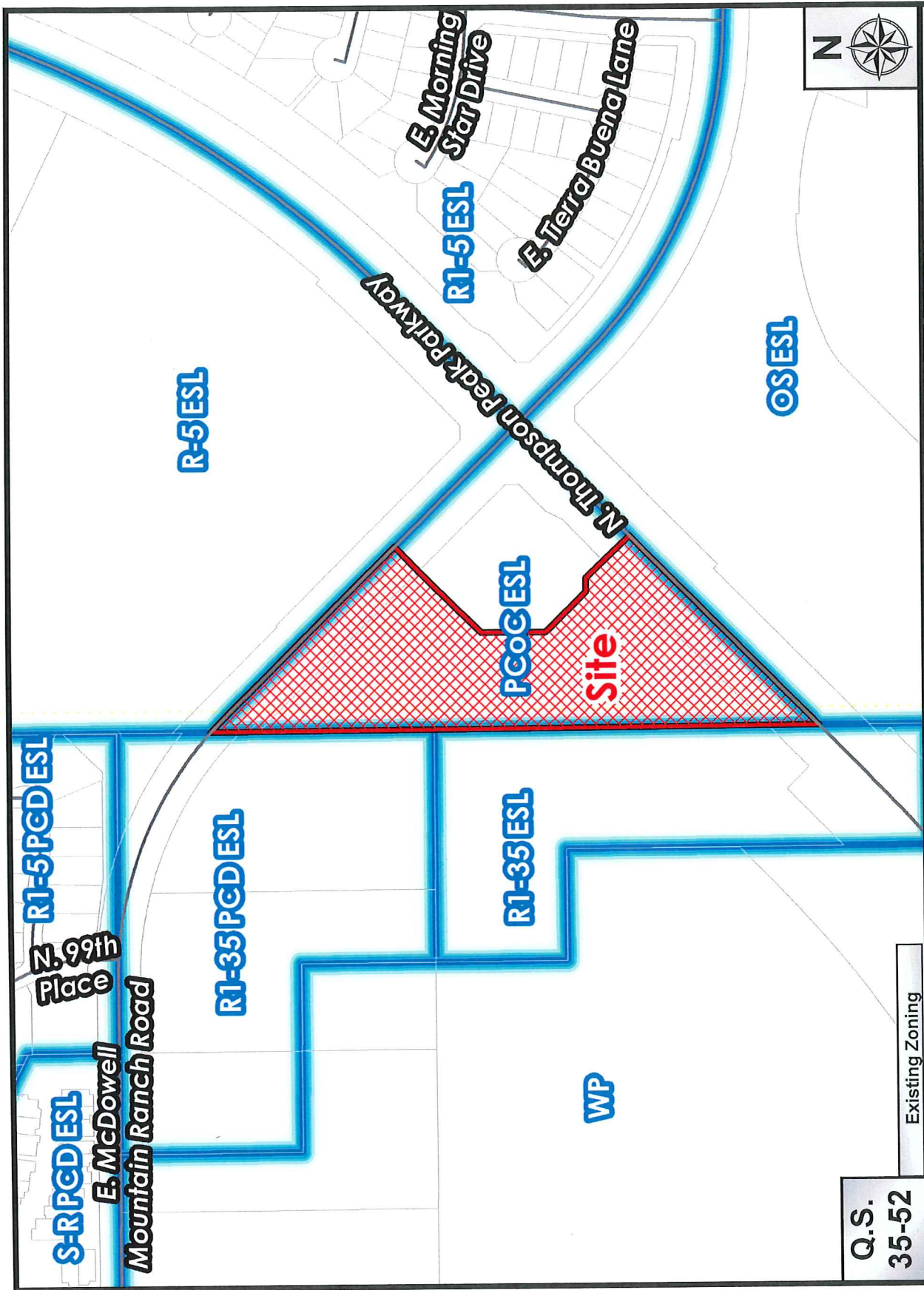
- Strive for the highest standards of safety and security for all motorized and non-motorized modes.
Does not apply
- Promote non-motorized travel for short neighborhood trips, such as homes to schools, parks, libraries, retail centers, and civic spaces.
The nature of the use does not lend itself to short neighborhood pedestrian trips but does maintain the pedestrian access to the adjoining service station/convenience store.
- Provide a high level of service for pedestrians through facilities that are separated and protected from vehicle travel (e.g., placing landscaping between curbs and sidewalks).
Vehicle parking is located adjoining the building sidewalk which greatly reduces vehicular conflicts with pedestrians.
- Emphasize strong pedestrian orientation (e.g. shaded safe paths, links to civic spaces) to foster a strong sense of community.
The nature of the use does not create pedestrian activity. However shade structures are provided at the building entrance and loading areas.



McDowell Mountain Community Storage

23-ZN-2018

ATTACHMENT 5

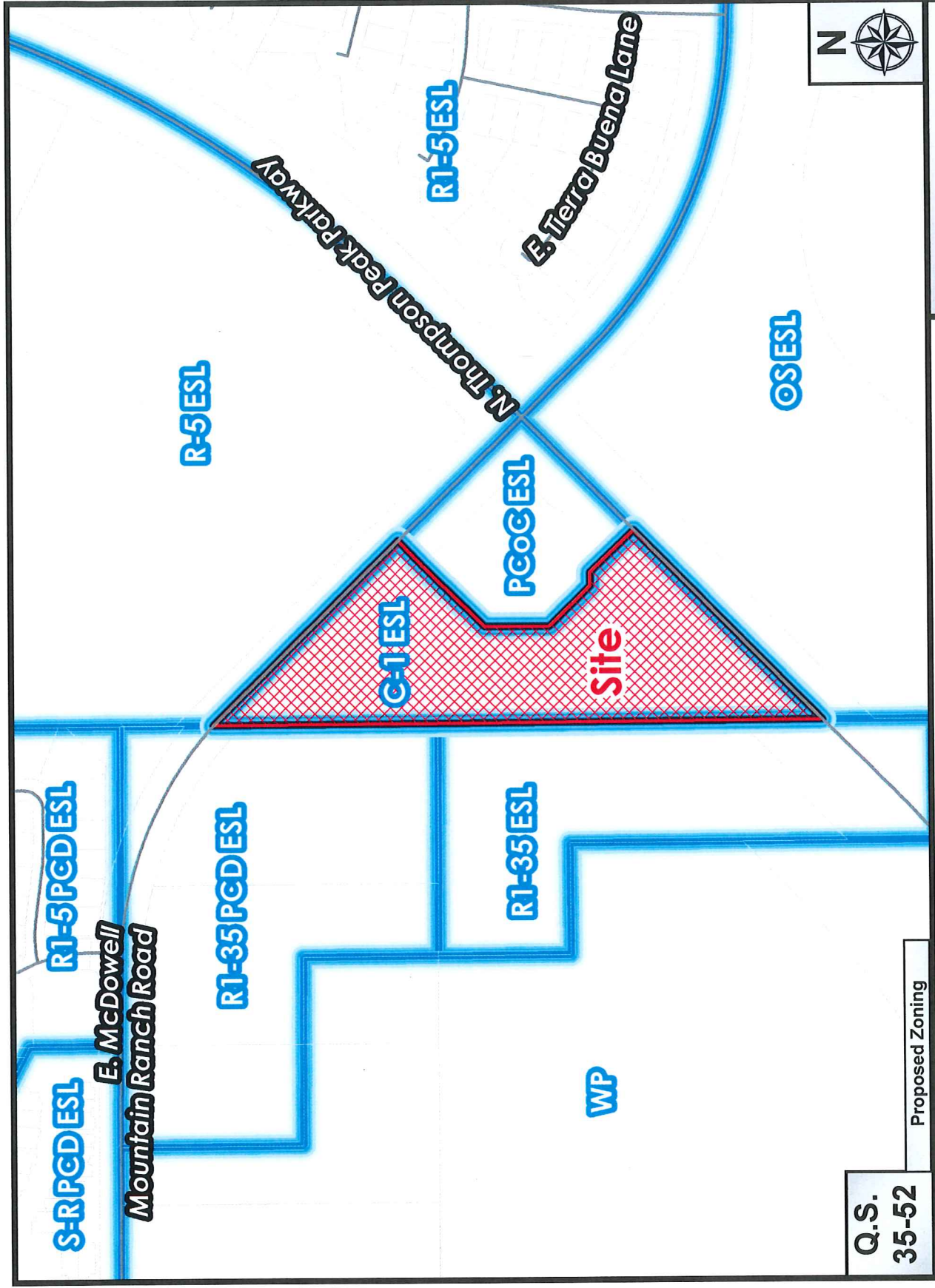


Q.S.
35-52

Existing Zoning

McDowell Mountain Community Storage

23-ZN-2018



23-ZN-2018

McDowell Mountain Community Storage

Kimley»Horn

November 7, 2018

The Bell Group, LLC
% George H. Bell
18061 N. 99th Street
Scottsdale, Az 85255



Re: Traffic Impact Statement McDowell Mountain Community Storage – West of the SWC
Thompson Peak Parkway and McDowell Mountain Ranch Road, Scottsdale, Arizona

Dear Mr. Bell:

This letter outlines our findings regarding the trip generation of the 4.7-acre± site located near the southwest corner of the intersection of Thompson Peak Parkway and McDowell Ranch Road in Scottsdale, Arizona. The development plan for the site consists of a 96,800 square foot storage facility with an estimated 665 storage units and 5,500 square feet of retail. Access to the site is proposed to be provided by the existing right-in right-out driveway approximately 330 feet southwest of McDowell Mountain Ranch Road on the north side of Thompson Peak Parkway and the existing full access driveway approximately 515 feet northwest of Thompson Peak Parkway on the south side of McDowell Mountain Ranch Road. A copy of the proposed site plan is attached.

This letter provides a comparison of trips generated between the existing zoning Planned Convenience Center (PCoC) and the proposed development. A floor area ratio (FAR) of .25 was used to determine the square footage for a retail/shopping center land use.

The trip generation rates published by the *Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition* and City of Scottsdale zoning code were used for the trip generation characteristics of the development. The trip generation characteristics of the proposed land use under the existing retail land use are summarized in **Table 1**.

Table 1 – Existing Zoning PCoC Trip Generation

Land Use	ITE Code	FAR	Acres	Qty	Daily Total	AM Peak			PM Peak		
						In	Out	Total	In	Out	Total
Shopping Center	820	.25	4.7	51,183 SF	1,934	30	18	48	94	101	195

Under the existing land use assumptions, the site would be expected to generate 1,934 daily trips, of which 48 trips would occur in the AM peak hour and 195 trips would occur in the PM peak hour.

Trips generated under the proposed site are summarized in **Table 2**.

ATTACHMENT 8

**23-ZN-2018
11/9/2018**

Table 2 – Proposed Site Trip Generation

Land Use	ITE Code	Qty	Units	Daily Total	AM Peak			PM Peak		
					In	Out	Total	In	Out	Total
Mini-Warehousing	151	96,800	SF	148	6	4	10	8	8	16
Shopping Center	820	5,500	SF	208	3	2	5	10	11	21
Total				352	9	6	15	18	19	37

Under the proposed development plan land uses assumptions, the site would be expected to generate 352 daily trips, of which 15 trips would occur in the AM peak hour and 37 trips would occur in the PM peak hour.

The proposed land use changes have resulted in changes to the development's trip generation potential. **Table 3** summarizes the net change in trip generation.

Table 3 – Net Change in Trip Generation

Land Use	Daily Total	AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Existing Zoning	1,934	30	18	48	94	101	195
Proposed Development	352	9	6	15	18	19	37
Net Change	-1,582	-21	-12	-33	-76	-82	-158


The calculations indicate that the new land uses are expected to decrease daily trips by approximately 82% (1,582 trips). During the AM peak hour, the proposed land use assumptions are estimated to decrease by trip generation 33 trips; during the PM peak hour, the trip generation is expected to decrease by 158 trips when compared to the existing zoning.

Based on this review, the proposed development will result in a reduction of total future site traffic compared to the existing zoning. Therefore, the proposed plan is not expected to significantly impact traffic conditions in comparison to the existing zoning of the site.

If you have any further questions, please feel free to contact me at (602) 944-5500.

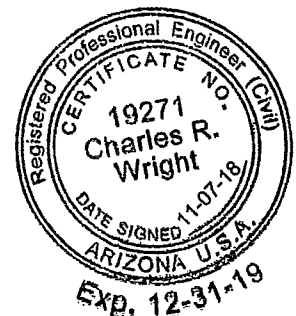
Very truly yours,

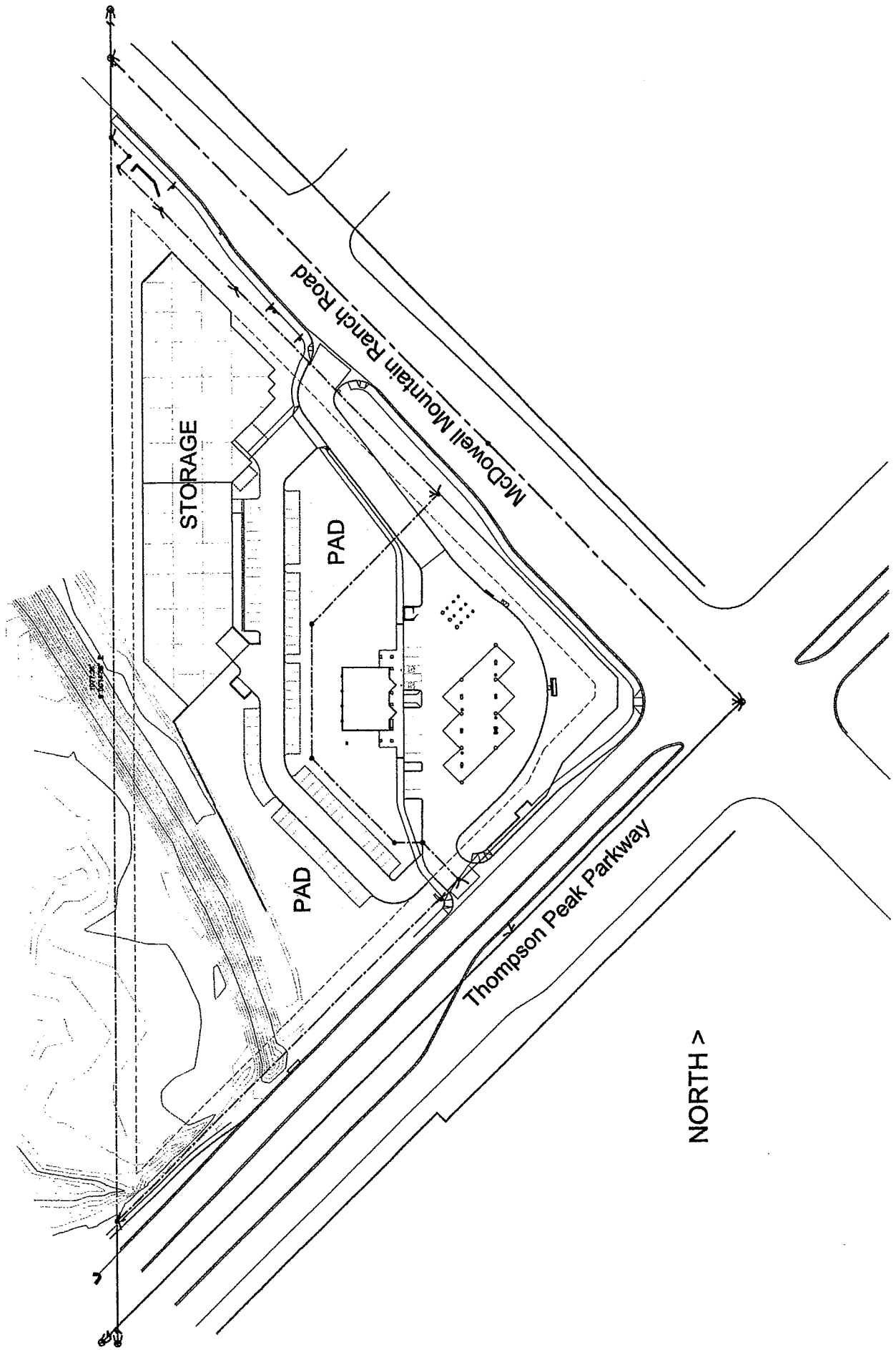
KIMLEY-HORN AND ASSOCIATES, INC.



Charles R. Wright, P.E.

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Sec. 5.2704. Use regulations.

A. The uses allowed in the PCoC District are shown in Table 5.2703.A. with additional limitations on uses as listed.

B. Drive-through and drive-in services are not permitted in the Downtown Area.

Table 5.2703.A. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Carwash	CU
2. Courier and messenger	P
3. Day care center with drop off or outdoor play area farther than one hundred (100) feet from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	P (1)
4. Day care center with drop off or outdoor play area within one hundred (100) feet of a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	CU (1)
5. Dwelling units physically integrated with business establishments (limited to one (1) dwelling unit per business establishment)	P (1)
6. Educational service, other than elementary and secondary school	P
7. Gas station	CU
8. Municipal use	P
9. Office	P
10. Personal care service	P
11. Restaurant, excluding drive-through restaurant and excluding drive-in restaurant	P
12. Retail	P
13. Veterinary and pet care service	P (2)
14. Wireless communications facility, Type 1, 2, and 3	P
15. Wireless communications facility, Type 4	CU

Use Limitations:

- (1) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (2) Veterinary and pet care services are permitted if all facilities are within a soundproof building. However, outdoor activities are permitted if:
 - a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
 - b. The property owner and operator maintain all outdoor areas in a clean and sanitary condition, including immediate and proper disposal of animal waste.
 - c. The outdoor areas are set back at least one hundred (100) feet from any lot line abutting a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an

Sec. 5.1207. Off-street parking.

The provisions of Article IX. shall apply.
(Ord. No. 4044, § 1(Res. No. 9210, § 1(Attach., § 2), 10-16-12)

Sec. 5.1208. Landscaping.

Unless otherwise provided, the provisions of Article X. shall apply.
(Ord. No. 4044, § 1(Res. No. 9210, § 1(Attach., § 2), 10-16-12)

Sec. 5.1300. Neighborhood Commercial (C-1).

Editor's note—Ord. No. 4082, § 1(Res. No. 9410, Exh. A, § 1), adopted May 14, 2013, repealed §§ 5.1300—5.1307. Section 2 of said exhibit enacted provisions designated as new

Sec. 5.1303. Use regulations.

A. The uses allowed in the C-1 District are shown in Table 5.1303.A. with additional limitations on uses as listed.

B. Drive-through and drive-in services are not permitted in the Downtown Area.

§§ 5.1300—5.1308. Prior to inclusion of said ordinance, said provisions pertained to similar subject matter. See also the Code Comparative Table.

Sec. 5.1301. Purpose.

This district is intended to provide a center for convenience shopping and services for nearby neighborhoods. The district provides for small business retail and service establishments which supply commodities and services to meet the daily needs of the community.

(Ord. No. 4082, § 1(Res. No. 9410, Exh. A, § 2), 5-14-13)

Sec. 5.1302. Reserved.

Editor's note—Ord. No. 4164, § 1(Res. No. 9857, § 1, Exh. A, § 22), adopted Aug. 25, 2014, repealed § 5.1302 which pertained to development review board approval and derived from Ord. No. 4082, § 1(Res. No. 9410, § 1, Exh. A, § 2), adopted May 14, 2013.

Table 5.1303.A. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Carwash	CU
2. Community buildings and recreational facilities not publicly owned	CU
3. Courier and messenger	P
4. Day care center with drop off or outdoor play area farther than one hundred (100) feet from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	P (1)
5. Day care center with drop off or outdoor play area within one hundred (100) feet of a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	CU (1)
6. Dwelling units physically integrated with business establishments (limited to one (1) dwelling unit per business establishment)	P (1)
7. Educational service, elementary and secondary school	P (1) (2)
8. Educational service, other than elementary and secondary school	P
9. Financial institution, including drive-through and drive-in service	P
10. Furniture and home furnishing sales	P
11. Gas station	CU

Land Uses	Permitted (P) or Conditional Use (CU)
12. Health and fitness studio	P
13. Internalized community storage	P
14. Live entertainment	CU
15. Municipal use	P
16. Multimedia production without communication tower	P
17. Office	P
18. Personal care service	P
19. Place of worship	P (1)
20. Plant nursery	P
21. Public utility buildings, structures or appurtenances thereto for public service uses	CU
22. Residential health care facility	P (1) (3)
23. Restaurant, including drive-through restaurant but excluding drive-in restaurant	P
24. Retail	P
25. Veterinary and pet care service	P (4)
26. Wireless communications facility, Type 1, 2, and 3	P
27. Wireless communications facility, Type 4	CU

Use Limitations:

- (1) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (2) Educational services, elementary and secondary school, are subject to the following standards:
 - a. The facility shall be located not less than five hundred (500) feet from any adult use.
 - b. The net lot area for the facility shall be a minimum of forty-three thousand (43,000) square feet.
 - c. The facility shall not have outdoor speaker systems or bells.
 - d. A maximum of one-third ($\frac{1}{3}$) of the required parking may be shared parking with other uses located within six hundred (600) feet of the building front entrance.
 - e. Outdoor playgrounds and recreation areas shall be:
 - i. Located not less than fifty (50) feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A;
 - ii. Located within the rear or side yard; and
 - iii. Enclosed and screened by a six-foot wall or fence.
 - f. A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility. This area shall not include internal site traffic aisles, parking spaces, or fire lanes.
 - g. Public trails or pedestrian connections shall link to the front door of the main building, subject to Development Review Board approval.
 - h. The circulation plan shall show minimal conflicts among the student drop-off area, any vehicle drop-off area, parking, access driveways, pedestrian and bicycle paths on site.

McClay, Doris

From: Ed Grant IV <egrant4@simaz.com>
Sent: Wednesday, February 06, 2019 2:38 PM
To: mike leary; mike leary
Cc: mafoster272@gmail.com; eric.e.bjorkman@intel.com; cthorpe@righthonda.com; george bell; 'george.bell@landrd.com'; Jim Elson; Jennifer Bell; Joan Bell; McClay, Doris
Subject: Re: McDowell Mountain Community Storage - Planning Commission February 27th meeting

Resending with Doris's correct e-mail address so this is appropriately added to the case file...

Thanks!

Ed

From: Ed Grant <egrant4@simaz.com>
Date: Wednesday, February 6, 2019 at 2:32 PM
To: mike leary <michaelpleary@cox.net>, mike leary <yrael@hotmail.com>
Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthorpe@righthonda.com" <cthorpe@righthonda.com>, "dmclay@scottsdaleaz.gov" <dmclay@scottsdaleaz.gov>, george bell <ghbell@landrd.com>, "george.bell@landrd.com" <george.bell@landrd.com>, Jim Elson <j4747e@aol.com>, Jennifer Bell <jbell@landrd.com>, Joan Bell <joanrbell@msn.com>
Subject: Re: McDowell Mountain Community Storage - Planning Commission February 27th meeting

Thanks very much for your note, Mike. I appreciate you letting us know, and look forward to staying involved.

I've attached our previous correspondence for reference, but we believe we still have a few outstanding items that I'd like the Applicant's take on. See attached for detail, but a few thoughts...

1. Again, we'll be looking for some tight stip to make sure this develops as it's promised. Accordingly, please detail how the Applicant is going to stip/handle that so we can be sure this doesn't get rezoned, and then turned into something other than this plan moving forward. Recall that C-1 also permits additional uses not allowed under the current PCoC designation such as furniture and home furnishing sales, a health and fitness studio, internalized community storage (the subject here), and retail, amongst others. I understand a site plan approval will be included, but those are amended all the time as you know.
2. I too am interested in Eric's question back to you regarding lighting. Internally faced lighting is a big deal for those of us that live in the adjacent area.
3. Curious to know if the McDowell Mountain Ranch HOA has given their take on this, and what their thoughts are, if any?
4. I know you have to do a TIMA as part of the application. Please advise on what your trips for the facility are looking like.

Thanks Mike!

Ed

ATTACHMENT 12

From: mike leary <outlook_59CA1EDED17AAFFC@outlook.com> on behalf of mike leary <michaelpleary@cox.net>
Date: Wednesday, February 6, 2019 at 12:15 PM
To: Ed Grant <egrant4@simaz.com>, mike leary <yrael@hotmail.com>
Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthorpe@righthonda.com" <cthorpe@righthonda.com>, "dmclay@scottsdaleaz.gov" <dmclay@scottsdaleaz.gov>, george bell <ghbell@landrd.com>, "george.bell@landrd.com" <george.bell@landrd.com>, Jim Elson <j4747e@aol.com>, Jennifer Bell <jbell@landrd.com>, Joan Bell <joanrbell@msn.com>
Subject: McDowell Mountain Community Storage - Planning Commission February 27th meeting

Hi again Ed!

Just giving you and your neighbors a heads up that the City will be sending out a postcard announcing the Planning Commission meeting on February 27th which includes our McDowell Mountain Community Storage development. The project is substantially the same as initially submitted but we've made some adjustments that improve its streetside appearance. We're moving the existing rock-lined channel along with the building further away from the west property line to allow a landscape area for the planting of 36" box trees and other plant material as shown below. The building has also been moved further away from MMRR which allows additional landscaping. The northern portion of the building will be approximately 24' in height and the southern portion approximately 6' higher. For reference the Superpumper store building height is also 24'. The building design remains very conceptual as the design will be a post-zoning cooperative process involving the community, City staff, the McDowell Mountain Ranch HOA Architectural Committee and Board of Directors, and finally the City's Development Review Board. Yep there's a lot of fingers in the pie!

If there are any further questions/comments/concerns, please let me know as I'm available 24/7.

Thanks Ed! ML



CITY OF SCOTTSDALE LANDSCAPE NOTES:

AN AUTOMATIC IRRIGATION SYSTEM WILL BE INSTALLED GUARANTEEING 100% COVERAGE TO ALL LANDSCAPE AREAS

ALL LANDSCAPE AREAS WILL BE TOP-DRESSED WITH A 2" DEPTH OF DECOMPOSED GRANITE.

PROVIDE 3% SLOPE AWAY FROM WALK OR CURB FOR 5' AROUND ALL STREETS

ALL RIGHT-OF-WAYS ADJACENT TO THIS PROPERTY SHALL BE LANDSCAPED AND MAINTAINED BY THE PROPERTY OWNER

ANY EXISTING LANDSCAPE MATERIALS, INCLUDING TREES DAMAGED OR DESTROYED AS A RESULT OF THIS CONSTRUCTION SHALL BE REPLACED TO THE SATISFACTION OF CITY STAFF, WITH LIKE KIND AND SIZE PRIOR TO RECEIVING A CERTIFICATE OF OCCUPANCY

AREAS WITHIN THE SIGHT DISTANCE TRIANGLES IS TO BE CLEAR OF LANDSCAPING, SIGNS, OR OTHER VISIBILITY OBSTRUCTIONS WITH A HEIGHT GREATER THAN 1' OF TREES WITHIN THE SAFETY TRIANGLE SHALL HAVE A CANOPY THAT BEGINS AT 7 FEET IN HEIGHT UPON INSTALLATION. ALL HEIGHTS ARE MEASURED FROM NEAREST STREET LINE ELEVATION.

ALL RIGHT-OF-WAY ADJACENT TO THIS PROPERTY SHALL BE LANDSCAPED AND MAINTAINED BY THE PROPERTY OWNER.

ALL SIGNS ON SITE ARE 4' MAX

NO TURF AREAS ARE TO BE PROVIDED.

SEE ARCHITECTURAL SITE PLAN FOR SETBACK DIMENSIONS

SEE ARCHITECTURAL FOR SITE LIGHTING LOCATIONS. SEE ELEC. DRAWINGS FOR ALL LIGHTING SPECIFICATIONS

SEE ARCHITECTURAL FOR SITE WALL ELEVATIONS, COLORS

SEE CIVIL DRAWINGS FOR ALL RETENTION AREAS, SECTIONS, AND SLOPE NOTATION

SEE ARCHITECTURAL FOR BIKE RACK DETAILS

ALL SIGNIFICANT REQUIRE APPROVALS & PERMITS

*SETBACK ALL SPRAY & STREAM TYPE IRRIGATION HEADS 1' FROM EACH OF CURB OR SIDEWALK TO PREVENT COVER SPRAY.

A MINIMUM 10% PERCENTAGE (UNLESS OTHERWISE SPECIFIED BY THE DEVELOPMENT REVIEW BOARD AND THE ZONING ORDINANCE REQUIREMENTS) OF THE PROVIDED TREES SHALL BE MATURE TREES PURSUANT TO THE CITY OF SCOTTSDALE'S ZONING ORDINANCE ARTICLE X, SECTION 10.501 AS DEFINED IN THE CITY OF SCOTTSDALE'S ZONING ORDINANCE ARTICLE II, SECTION 3.102

A SINGLE TRUNK TREE'S CALIPER SIZE, THAT IS TO BE EQUAL TO OR LESS THAN 4 INCHES, SHALL BE DETERMINED BY USING THE SMALLEST DIAMETER OF THE TRUNK SIX INCHES ABOVE FINISHED GRADE ADJACENT TO THE TRUNK

A TREE CALIPER SIZE FOR SINGLE TRUNK TREES WHICH HAVE A DIAMETER GREATER THAN 4 INCHES, SHALL BE DETERMINED BY UTILIZING THE SMALLEST DIAMETER OF THE TRUNK SIX INCHES ABOVE FINISHED GRADE ADJACENT TO THE TRUNK

A MULTI-TRUNK TREE'S CALIPER SIZE IS MEASURED SIX INCHES ABOVE THE LOCATION THAT THE TRUNK SPLITS ORIGINATES, OR SIX INCHES ABOVE FINISHED GRADE OF ALL TRUNKS ORIGINATE FROM THE SOIL.

RETENTION DETENTION BASINS SHALL BE CONSTRUCTED EXACTLY FROM THE APPROVED CIVIL PLANS. ANY ALTERATION OF THE APPROVED DESIGN (ADDITIONAL FILL BOULDERS, ETC.) SHALL REQUIRE ADDITIONAL FINAL PLANS SHALL BE VIEW AND APPROVAL

NO LIGHTING IS APPROVED WITH THE SUBMITTAL

THE LANDSCAPE SPECIFICATION SECTIONS OF THESE PLANS HAVE NOT BEEN REVIEWED AND SHALL NOT BE A PART OF THE CITY OF SCOTTSDALE'S APPROVAL.

NEW LANDSCAPING, INCLUDING SALVAGED PLANT MATERIAL, AND LANDSCAPING INDICATED TO BE REMOVED, DAMAGED OR EXPIRED DURING CONSTRUCTION SHALL BE REPLACED WITH LIKE SIZE, KIND, AND QUALITY PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY AFTER OF ACCEPTANCE TO THE SATISFACTION OF THE INSPECTION SERVICES STAFF.

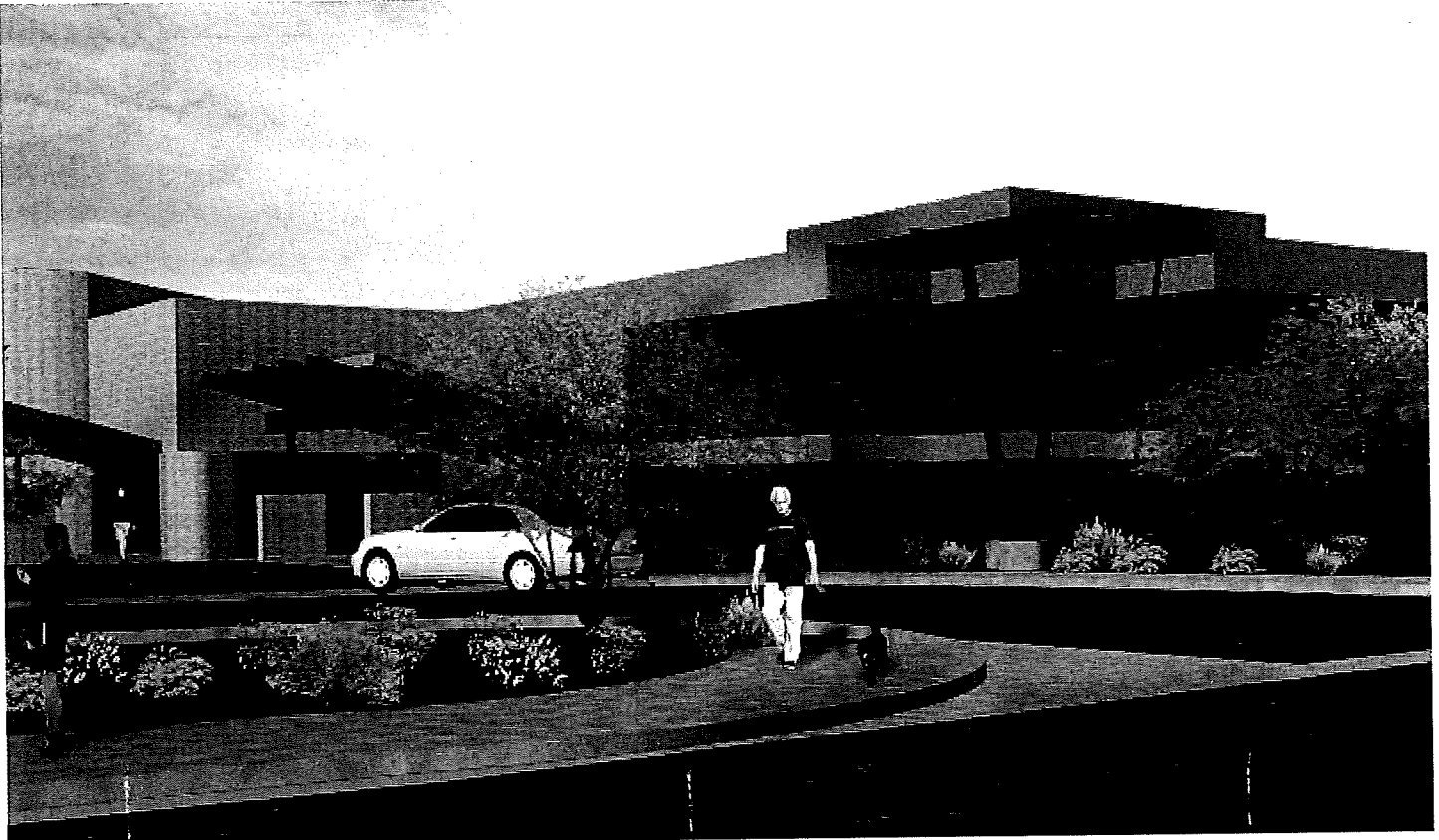
LANDSCAPE PLAN
APPROVED
CITY OF SCOTTSDALE

DATE: 10/15/2018
APPROVED: [Signature]
DATE: 10/15/2018
CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THIS PLAN AND ANY AND ALL DEVIATIONS WILL REQUIRE REAPPROVAL. LANDSCAPE ESTABLISHMENT TO BE APPROVED BY CITY OF SCOTTSDALE INSPECTION SERVICES STAFF PRIOR TO OCCUPANCY ISSUED.

Case No: 00 - DR - 2018

ALL LANDSCAPE AREAS AND MATERIALS SHALL BE MAINTAINED IN A HEALTHY MANNER. ALL LANDSCAPING SHALL BE MAINTAINED IN A HEALTHY MANNER. IN THE SCOTTSDALE DESIGN STANDARDS AND POLICIES MANUAL, AND ALSO STANDARD PRACTICES FOR PLANTING, SUPPORT SYSTEMS AND SAFETY SHALL BE USED FOR MAINTENANCE CRITERIA. THIS SHALL BE THE RESPONSIBILITY OF PROPERTY OWNER.

LANDSCAPE CONCEPT



DESIGN CONCEPT ONLY

Mike Leary
Michael P. Leary, LTD
Commercial Real Estate Development Consulting

10278 East Hillery Drive
Scottsdale, AZ 85255
(c) 480.991.1111

From: Ed Grant IV <egrant4@simaz.com>

Sent: Monday, November 5, 2018 10:40 AM

To: mike leary

Cc: mafoster272@gmail.com; eric.e.bjorkman@intel.com; cthorpe@righthonda.com; dmclay@scottsdaleaz.gov; george bell; 'george.bell@landrd.com'; Jim Elson; Jennifer Bell

Subject: Re: 93-PA-2018 (McDowell Mountain Community Storage) - Horseman's Park neighbors

Thanks Mike. I appreciate the through response! Sticking with your theme of colors, please see below in red...

From: mike leary <yrael@hotmail.com>

Date: Sunday, November 4, 2018 at 4:06 PM

To: Ed Grant <egrant4@simaz.com>

Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthrope@righthonda.com" <cthrope@righthonda.com>, "dmclay@scottsdaleaz.gov" <dmclay@scottsdaleaz.gov>, george bell <ghbell@landrd.com>, "george.bell@landrd.com" <george.bell@landrd.com>, Jim Elson <j4747e@aol.com>, Jennifer Bell <jbell@landrd.com>

Subject: Re: 93-PA-2018 (McDowell Mountain Community Storage) - Horseman's Park neighbors

Ed thanks again for the heads-up on the items mentioned in your email. I'm going into probably more detail than necessary but I want to provide as complete a response as possible in the hope of allaying the concerns that were mentioned. Here goes.

- Section 5.2701 of the City's Zoning Ordinance states that the land's existing PCoC designation is designed to provide "basic convenience goods, shopping and services within walking distance of nearby residence". We interpret this to mean exactly what it says, and submit that the existing Superpumper fits that description nicely. Your proposed use would unnecessarily broaden that, however.

Zoning ordinances inevitably have inherent vagaries and the City's PCoC district is a classic anomaly. I was a City Planner back in the 80's when the PCoC district was established as part of the progression of "Planned Centers" - PNC (Neighborhood), PCC (Community) and PRC (Regional). The PCoC purpose statement was gleamed from C-1 per below:

PCoC "This district is intended to provide basic convenience goods shopping and services within walking distance of nearby residences. The district provides for retail and service establishments which supply commodities or perform services to meet the daily needs of the neighborhood."

C-1 "This district is intended to provide a center for convenience shopping and services for nearby neighborhoods. The district provides for small business retail and service establishments which supply commodities and services to meet the daily needs of the community."

PCoC was a well-intended planning attempt to imbed into neighborhoods very limited and small retail uses (originally 1,000 sf max) with residential units above on parcels no greater than 1 acre (curiously the PCoC zoning on this parcel comprises 7.2 acres). The PCoC goal was to encourage - in suburban settings - what works in urban settings. Predictably the concept was less than successful as I am only aware of two properties in the City having PCoC zoning - the subject and one south of Cactus on 94th Street (the southern continuation of Thompson Peak Parkway). Typical of the abundant C-1 commercial developments City-wide, both sites are located on arterial streets - not imbedded in neighborhoods.

I understand the intent of PCoC, and believe it fits right into our goal here...limited and small retail uses. Respectfully, that does not describe what is being proposed. I think the original intent in 1993 was spot on.

- We know, per your letter, that no development has been proposed on this site since the original zoning in 1993. While we do understand that current zoning permits certain uses that may create more traffic “by right”, we also feel strongly that the property should be used for what it’s entitled to do...provide services within walking distance of nearby residents. A storage facility is hardly a regional use, but it certainly has a more broad reach than walking distance.

The PCoC “miss-zoning” (if that’s a word) is the primary reason why the property hasn’t developed in the last 25 years. The most significant obstacle is the PCoC zoning precludes any development of this property due its size being well in excess of the maximum. Technically the property has no development rights under PCoC which obviously was an error in the 1993 zoning approval of the 3,200 acre McDowell Mountain Ranch. The “internalized community storage” use was added to C-1 and the other commercial districts back in the 90’s not as a neighborhood serving use but a neighborhood “compatible” use. Contrary to the PCoC purpose statement, Superpumper and other similar gas/convenience stores are minimally a community-wide use - not a neighborhood use intended to be within “walking distance of nearby residences”.

Fair enough on the community-wide use comment. Self-storage is still too broad for this particular land that’s surrounded by so much residential.

- You mention that the site is severely constrained by drainage, but please note that condition did exist prior to acquisition and would have been known before the owner acquired the property.

Although drainage is always a constraint on developing property, ownership was not aware that the rock-lined channel along the western portion of the site was on this property - versus the neighboring property - as the ALTA survey prepared at the time of acquisition did not show it as there is no recorded drainage easement. Also not known until now is the stormwater outflow from the property was blocked when Thompson Peak Parkway was extended over the CAP Canal which has resulted in ponding that backs up into the developable portion of the site.

Sounds like a title claim to me, as it may have been omitted from the ALTA on account of it not being listed as a Schedule B item. As for the stormwater outflow, that too would seemingly been the responsibility of whoever created the condition. Either way, please note that those items should be accounted for in other ways beyond allowing additional uses over what's allowed today.

- The C-1 zoning designation permits additional uses not allowed under the current PCoC designation such as furniture and home furnishing sales, a health and fitness studio, internalized community storage (the subject here), and retail, amongst others. Again, these uses are more broad than the original intent of the PCoC designation and what we feel is appropriate at this location. We're quite comfortable that we have adequate access to these uses at the Basha's, A.J.'s, and Safeway shopping centers...all of which are approximately 1 mile away from our homes. As for storage, those opportunities abound in the area as well.

Although the City Council can't limit uses, it achieves the same effect by routinely limiting zoning approval to a specific site plan which has the effect of precluding another use. Any proposed change in use would necessitate a change in the site plan which would necessitate going back to City Council for consideration. A storage facility has unique functional features that do not lend itself to alternative uses. North of Shea to the City limits is considered underserved having only a handful of storage facilities.

Understood on the City's ability to limit uses. We are not collectively there and ready to support this rezoning. If we do get there though, we'll look for very tight stipulations so that we can be assured what's ultimately developed will be what we expect it to be. Let's have the discussion on the overall effort first though, as I don't yet see the reasoning to support what's proposed.

- Please also note that we did attempt to access your pre-application file via the website provided in your letter, but were unsuccessful via the case number, project name, or applicant name.

Paste the <https://eservices.scottsdaleaz.gov/bldgresources/PreApp/Search> link to your browser:

City of Scottsdale - Pre-Application Meeting Search

eservices.scottsdaleaz.gov

Pre-Application Process; Scottsdale Maps; The pre-application is the first step in the processing of all development requests. SUBMIT ONLINE OR FILL OUT THE FORM ABOVE AND BRING TO PLANNING AND DEVELOPMENT INCLUDING REQUIRED ATTACHMENTS.; Call Records at 480-312-2356 for current zoning, parcel #, and quarter section #. Incomplete pre-applications will not be accepted.

Under "Month and Year" select "ENTIRE" and "2018". Under "Pre-app-number" enter "93-PA-2018" and then hit the "SEARCH" button. What comes up is nothing more than what's in the letter. Hardly helpful at this stage but it's what the City requires to be included in the outreach letter. After the zoning application is filed, a zoning number will be assigned and detailed information about the application will be available online.

Again I'm sorry about the length of my responses but hopefully in this case "more is better than less". Once again feel free to give me a buzz with any questions/comments/concerns.

Hope this helps. ML

***Mike Leary
Michael P. Leary, LTD
Commercial Real Estate Development Consulting***

***10278 East Hillery Drive
Scottsdale, AZ 85255***

(c) 480.991.1111

From: Ed Grant IV <egrant4@simaz.com>
Sent: Thursday, November 1, 2018 8:23 AM
To: mike leary
Subject: Re: 93-PA-2018 (McDowell Mountain Community Storage) - Horseman's Park

Thanks Mike. Normally a call is fine, but I'm knee deep in work until Tuesday. Should we just chat at your open house?

From: mike leary <yrael@hotmail.com>
Date: Wednesday, October 31, 2018 at 11:25 AM
To: Ed Grant <egrant4@simaz.com>
Subject: Re: 93-PA-2018 (McDowell Mountain Community Storage) - Horseman's Park

Ed thanks so much for the specific concerns and politeness. It's rare.

We both understand the trepidation that arises with new development proposals and I really appreciate your neighborhood involvement sooner than later. I'm looking for the best way to respond and I'm thinking a phone call with you would be a good start. **Does that work Ed??**

Mike Leary
Michael P. Leary, LTD
Commercial Real Estate Development Consulting

10278 East Hillery Drive
Scottsdale, AZ 85255
(c) 480.991.1111

From: Bjorkman, Eric E <eric.e.bjorkman@intel.com>
Sent: Wednesday, October 31, 2018 9:10 AM
To: Ed Grant IV; michaelpleary@cox.net
Cc: dmcclay@scottsdaleaz.gov; mafoster272@gmail.com; cthroe@righthonda.com; Bjorkman, Eric E; Amy Bjorkman (dramybjorkman@yahoo.com)
Subject: RE: 93-PA-2018 (McDowell Mountain Community Storage)

Well worded, thank you Ed. I will attend next Wednesday. Do you think it would be worthwhile to bring this issue to the attention of any of our neighbors on Monte Cristo and see if they would like to be part of our organized objections? I'm not sure if adding a few more faces to the attendance on Wednesday would make a difference at this point in the process or not. We know the neighbors next door and across the street (Emma actually knows them and we know them through her) well enough that I'm happy to knock on a couple of doors (those with stars below) later this week....



N 99th St

9922 East Monte
Cristo Avenue

E Monte Cristo Ave

E McDowell Mountain Ranch Rd



From: Ed Grant IV [mailto:egrant4@simaz.com]
Sent: Wednesday, October 31, 2018 8:55 AM
To: michaelpleary@cox.net
Cc: dmccclay@scottsdaleaz.gov; mafoster272@gmail.com; Bjorkman, Eric E
<eric.e.bjorkman@intel.com>; cthroe@righthonda.com
Subject: 93-PA-2018 (McDowell Mountain Community Storage)

On behalf of the Bjorkman, Foster, Grant, & Thorpe families, all of whom are residents of the Horseman's Park subdivision, we wanted to contact you regarding the proposed McDowell Mountain Community Storage project. While we understand that the final details of your proposed project have yet to be rolled out, please understand that we generally object to the effort to rezone this property based upon the following:

- Section 5.2701 of the City's Zoning Ordinance states that the land's existing PCoC designation is designed to provide "basic convenience goods, shopping and services within walking distance of nearby residence". We interpret this to mean exactly what it says, and submit that the existing Superpumper fits that description nicely. Your proposed use would unnecessarily broaden that, however.
- We know, per your letter, that no development has been proposed on this site since the original zoning in 1993. While we do understand that current zoning permits certain uses that may create more traffic "by right", we also feel strongly that the property should be used for what it's entitled to do...provide services within walking distance of nearby residents. A storage facility is hardly a regional use, but it certainly has a more broad reach than walking distance.
- You mention that the site is severely constrained by drainage, but please note that condition did exist prior to acquisition and would have been known before the owner acquired the property.
- The C-1 zoning designation permits additional uses not allowed under the current PCoC designation such as furniture and home furnishing sales, a health and fitness studio, internalized community storage (the subject here), and retail, amongst others. Again, these uses are more broad than the original intent of the PCoC designation and what we feel is appropriate at this location. We're quite comfortable that we have adequate access to these uses at the Basha's, A.J.'s, and Safeway shopping centers...all of which are approximately 1 mile away from our homes. As for storage, those opportunities abound in the area as well.

Please also note that we did attempt to access your pre-application file via the website provided in your letter, but were unsuccessful via the case number, project name, or applicant name.

Finally, we are planning to attend your open house next Wednesday and hear more about the case at that time. As a fellow real estate professional myself, however, I thought it important to make you aware of our objection sooner as opposed to later.

Thanks very much for the chance to offer this input.

Ed Grant

Zimmer, Christopher

From: Jennifer Hyduk <jenniferhyduk@gmail.com>
Sent: Friday, February 22, 2019 10:50 AM
To: Planning Commission
Subject: MMR Community Storage

Hello Commissioners,

Please do not grant setback reduction in case 23-ZN-2018 - MCDOWELL MOUNTAIN COMMUNITY STORAGE. My understanding from COGS is that this is a variance, and not approved. The proposed unit is directly across the street from a long line of residences, many of which have greater setbacks than the business proposes. It is also next to a store that is frequented by many of the neighborhood kids as its adjacent to Desert Canyon ES\MS, the Arabian Library and the Aquatic Center. I believe granting a variance in the setbacks would not be compatible with the surrounding neighborhood.

Thank you,

Jennifer Hyduk

10298 E Morning Star Drive 85255

Zimmer, Christopher

From: epeller@gmail.com
Sent: Friday, February 22, 2019 11:20 AM
To: Planning Commission; Solange Whitehead; solangeforscottsdale@gmail.com
Subject: Bell Road/North Scottsdale Storage facility zoning variance concern

Hon. Zoning Board Members,

I am writing to express my concerns with the requests by the developers of the storage unit complex behind the Shell station on Bell Road, Bell Developers. As we understand it the developer is asking for reduced setbacks, moving the storage unit 50 feet closer to the road. This is being argued by their zoning attorney, based on a questionable 2005 document. Bell Storage has earned a reputation as a bad neighbor for how they handled their last project in 2018 along Shea Blvd as I read recently in the Independent.

We are a very engaged community as evidenced by the work many of my neighbors spearheaded around the DDC/Desert Edge development and thankfully we have continued to keep a watchful eye on development within our communities. While we support growth we will as a community hold our elected officials and boards accountable to balancing well planned and sensible growth with the special character of our communities.

I would ask the Board to not approve these variances and have Bell Development abide by the current zoning rules as they relate to setbacks.

Thank you,
Efram & Kerri Peller
10262 E Bahia Drive
Scottsdale, AZ 85255

Zimmer, Christopher

From: Diane Drell <grammarstein@gmail.com>
Sent: Friday, February 22, 2019 11:28 AM
To: Planning Commission
Subject: McDowell Mountain Community Storage

Hello Commissioners, Please do not grant setback reduction in case 23-ZN-2018 - MCDOWELL MOUNTAIN COMMUNITY STORAGE. My understanding from COGS is that this is a variance, and not approved. The proposed unit is directly across the street from a long line of residences, many of which have greater setbacks than the business proposes. It is also next to a store that is frequented by many of the neighborhood kids as its adjacent to Desert Canyon ES\MS, the Arabian Library and the Aquatic Center. I believe granting a variance in the setbacks would not be compatible with the surrounding neighborhood.

Diane Drell
10387 E. Pine Valley Drive
Scottsdale, AZ 85255

Zimmer, Christopher

From: Rick Fields <rickfields3@gmail.com>
Sent: Friday, February 22, 2019 11:39 AM
To: Planning Commission
Subject: MCDOWELL MOUNTAIN COMMUNITY STORAGE

Hello Commissioners, Please do not grant setback reduction in case 23-ZN-2018 - MCDOWELL MOUNTAIN COMMUNITY STORAGE. My understanding from COGS is that this is a variance, and not approved. The proposed unit is directly across the street from a long line of residences, many of which have greater setbacks than the business proposes. It is also next to a store that is frequented by many of the neighborhood kids as its adjacent to Desert Canyon ES\MS, the Arabian Library and the Aquatic Center. I believe granting a variance in the setbacks would not be compatible with the surrounding neighborhood.

Rick Fields
10387 E. Pine Valley Drive
Scottsdale, AZ 85255

Zimmer, Christopher

From: Joe Deka <vjdeka@gmail.com>
Sent: Friday, February 22, 2019 11:46 AM
To: Planning Commission
Subject: Bell Storage

Please do not allow Bell Storage to reduce the setback at Thompson Peak and McDowell Mtn Ranch.
This will be unsightly and set a bad precedent for a community we love Sincerely V Joe Deka Resident for 13 years Sent
from my iPhone

Zimmer, Christopher

From: Ruenger, Jeffrey
Sent: Friday, February 22, 2019 7:53 AM
To: Zimmer, Christopher; McClay, Doris
Subject: FW: Please do not grant setback reduction in case 23-ZN-2018 - MCDOWELL MOUNTAIN COMMUNITY STORAGE

From: Jason Alexander <jason.alexander.az@gmail.com>
Sent: Thursday, February 21, 2019 7:47 PM
To: Planning Commission <Planningcommission@scottsdaleaz.gov>
Subject: Please do not grant setback reduction in case 23-ZN-2018 - MCDOWELL MOUNTAIN COMMUNITY STORAGE

Hello Commissioners,

Please do not grant setback reduction in case 23-ZN-2018 - MCDOWELL MOUNTAIN COMMUNITY STORAGE. My understanding from COGS is that this is a variance, and not approved. The proposed unit is directly across the street from a long line of residences, which have greater setbacks than the businesses. It is also next to a store that is frequented by many of the neighborhood kids as its adjacent to Desert Canyon ES\MS, the Arabian Library and the Aquatic Center. I believe granting a variance in the setbacks would not be compatible with the surrounding neighborhood.

I am a neighbor, so in this case my interests are based on living in the area.

Thank you.

Jason Alexander
9976 E Jasmine Drive, 85260

Zimmer, Christopher

From: Ruenger, Jeffrey
Sent: Friday, February 22, 2019 7:52 AM
To: Zimmer, Christopher; McClay, Doris
Subject: FW: Bell Storage

-----Original Message-----

From: Vera Powers <fitespam@cox.net>
Sent: Thursday, February 21, 2019 3:18 PM
To: Planning Commission <Planningcommission@scottsdaleaz.gov>
Subject: Bell Storage

Please do not approve reduced setbacks for subject's planned storage unit at Thompson Peak Parkway and McDowell Mountain Ranch Road. Doing so would have a negative impact on the surrounding neighborhood. I am a resident of McDowell Mountain Ranch. Thank you.

Vera Powers - Sent from my iNdefatigable iPad Please remove my email address if you choose to forward this message.

Zimmer, Christopher

From: Amanda Salt <amandacsalt@gmail.com>
Sent: Thursday, February 21, 2019 3:11 PM
To: Planning Commission
Subject: Please deny Bell Storage setback reduction request

Categories: Jeff

Hello,

I'm writing in regards to the Bell Storage development that is being planned at Thompson Peak Parkway and McDowell Mountain Ranch roads. I understand that the developer has requested the commission to allow them to construct the storage units 50 feet closer to the road than originally designed. I urge the commission to deny this request. In this area of Scottsdale, many public and commercial buildings are somewhat "hidden" from view, allowing them to better blend into the natural landscape. In the same area, the Arabian Library and Desert Canyon school buildings are well away from the road, and built so as not to be too noticeable. The developer of Bell Storage should adhere to these aesthetic guidelines, and comply with the setbacks as originally zoned.

Thank you for your consideration,
Amanda Salt
resident of McDowell Mountain Ranch


Michael P. Leary, LTD

10278 E. Hillery Drive
Scottsdale, Arizona 85255

Cell 480.991.1111
michaelpleary@cox.net

DATE: November 8, 2018

TO: Doris McClay, Senior Planner

FROM: Mike Leary 

RE: 93-PA-2018 – **Application Submittal - Citizen Review Report**

Per the Citizen Review Plan the attached informational letters were sent to interested parties and property owners within 750' of the subject property. A "Project Under Consideration" sign was erected on 10/25/18 announcing the Open House to be held November 7, 2018.

On October 26th the project was presented to the McDowell Mountain Ranch HOA President and General Manager and was well-received. The project is required to obtain their HOA Architectural Committee and Board of Directors approval of subsequent development plans. The General Manager subsequently sent our project notification letter to their 3,400 members and received only one reply.

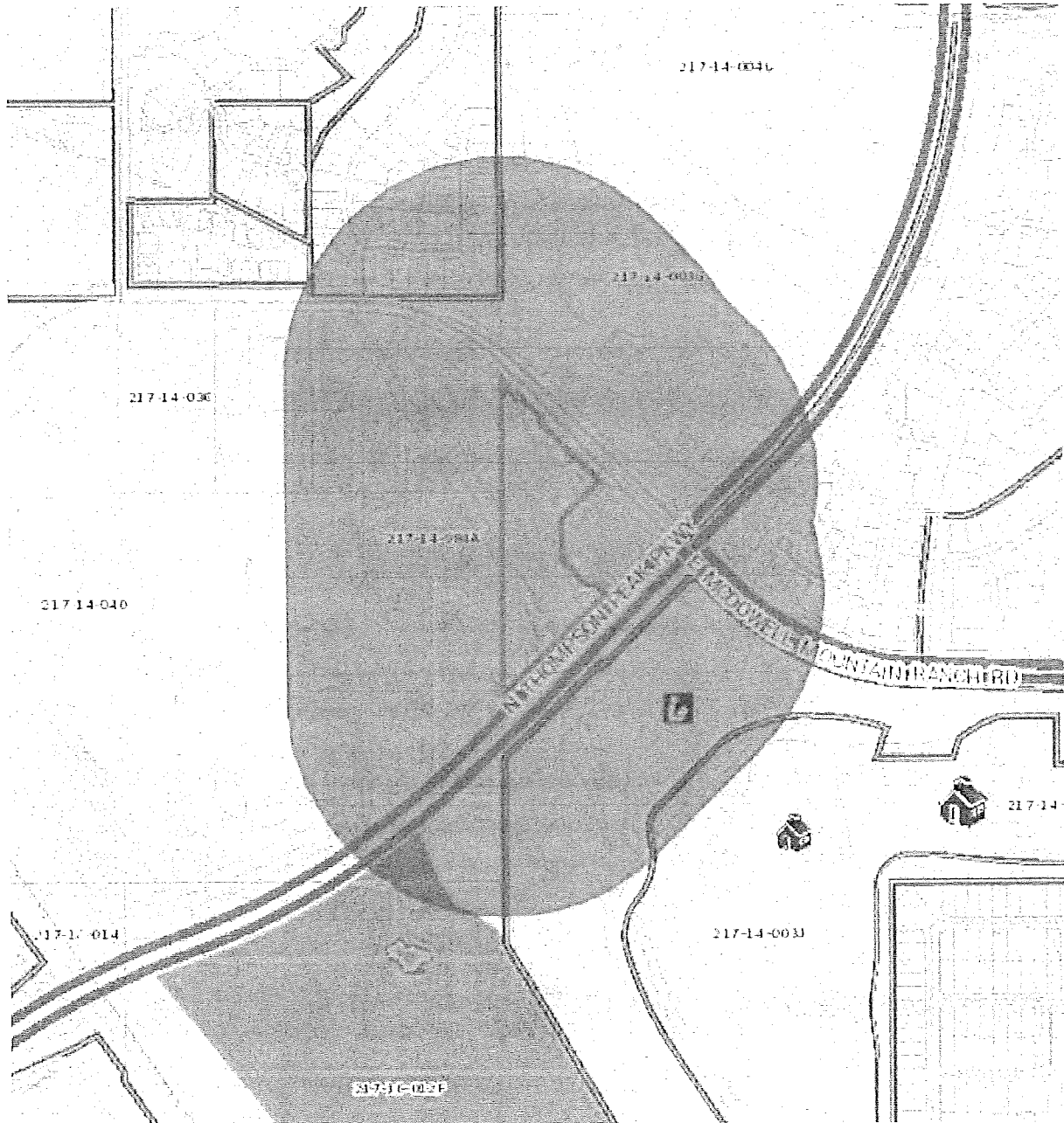
Prior to the Open House we received an email from a resident representing 3 other homeowners in the Horseman's Park subdivision located northwest of the site on the opposite side of McDowell Mountain Ranch Road. Concerns centered on the desire to maintain the PCoC "basic convenience goods, shopping and services within walking distance of nearby residences" and the potential for more intensive C-1 uses replacing the storage use. Per the attached string of emails, our response was that the PCoC zoning was misapplied in this suburban arterial road setting, the property exceeds the PCoC district maximum parcel size resulting in the loss of all development rights, and the City Council routinely limits development to a specific development plan thereby precluding other uses.

A dozen people attended the November 7th Open House with the typical inquiries about the project's use, size, design, access, lighting, security, and traffic. Information was provided regarding the filing of the application, notification by the City of the filing, the availability of submittal information online, and the public hearing process. There were no subsequent comments objecting to the project.

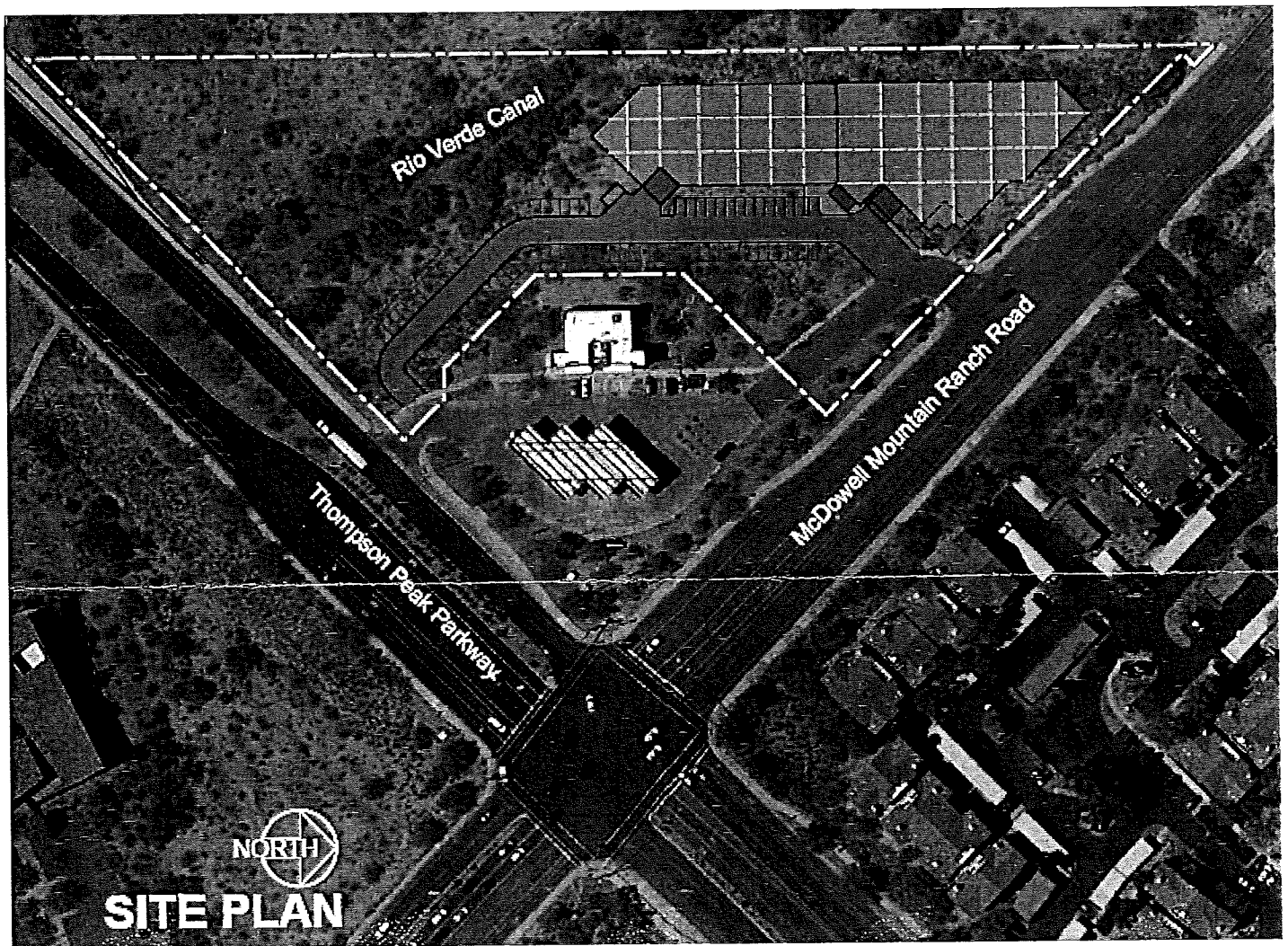
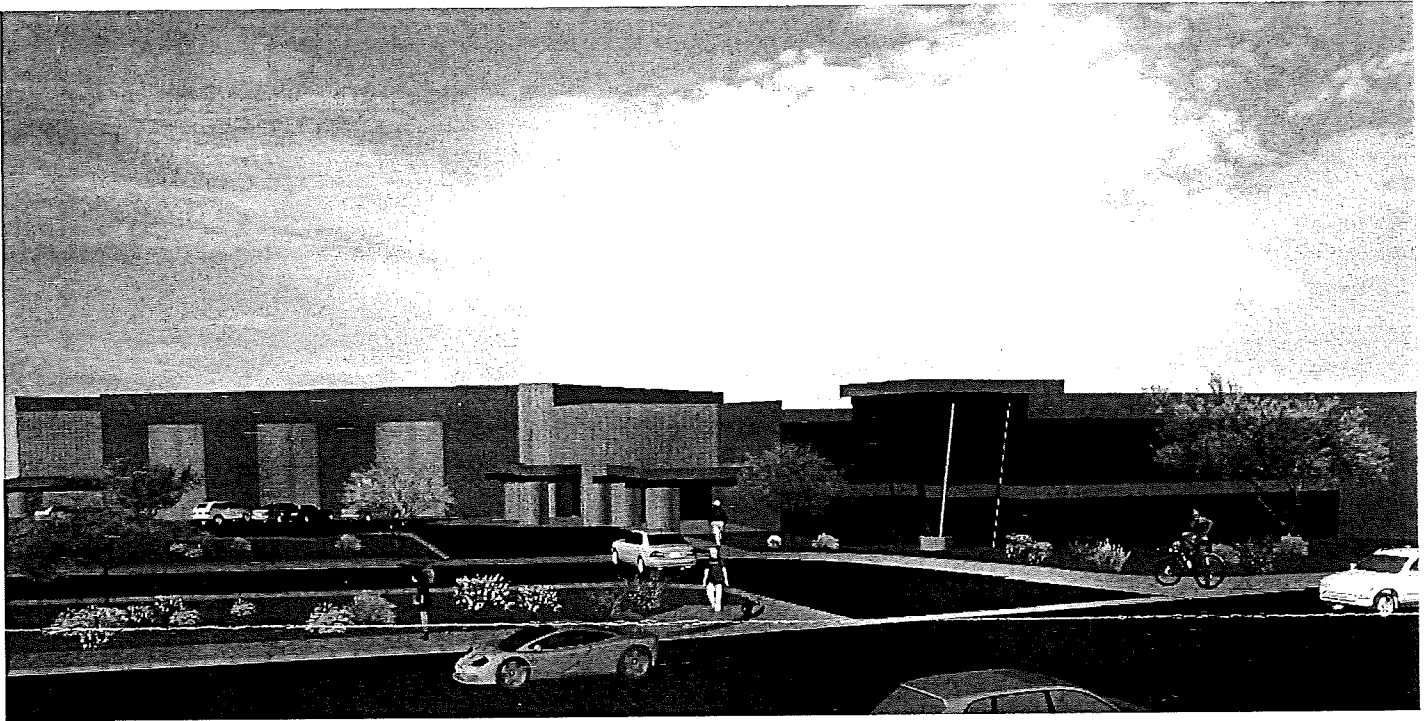
We will continue to encourage and respond to any questions, comments or concerns throughout the entire application process. The Citizen Review Report will be updated prior to the City Council hearing.

Attachments

- : map showing the area of notification
- : list of property owners with the notification area
- : list of interested parties
- : letter to property owners and interested parties
- : affidavit of posting
- : Community Input Certification
- : email exchanges with Horseman's Park residents
- : Open House attendees



750' Notification Area



PRELIMINARY 10.26.18



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.



Project Under Consideration Sign (White)



Public Hearing Notice Sign (Red)

Case Number: 95-PA-2018

Project Name: _____

Location: 10101 E McDowell Mountain Ranch Rd

Site Posting Date: October 26, 2018

Applicant Name: Michael Leary

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Michael Leary
Applicant Signature

10/26/18
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 26th day of October 2018



MARYBETH CONRAD
Notary Public, State of Arizona
Maricopa County
My Commission Expires
October 25, 2020

Marybeth Conrad
Notary Public

My commission expires: 10-25-20

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

Early Notification of Project Under Consideration

Neighborhood Open House Meeting

Date: Wednesday, November 7, 2018
Time: 5:00 PM - 6:00 PM
Location: McDowell Mountain Ranch at McDowell Mountain
Ranch Rd, Scottsdale, AZ 85255

Site Address: 10181 East McDowell Mountain Ranch Road
Scottsdale, AZ 85255

Project Overview:

- Request: Approval of a Zoning District Map Amendment from PDC (Planned Community Center) ESR (Environmentally Sensitive Lands) to C-1 (Neighborhood Commercial) ESR (Environmentally Sensitive Lands)
- Description of Project and Proposed Use: McDowell Mountain Storage a climate controlled industrialized storage facility on a vacant remnant parcel located west of Superstition at the southwest corner of McDowell Mountain Ranch Road and Thompson Peak Parkway
- Site Address: 477 acres

Site Zoning: PDC (Planned Community Center) ESR
(Environmentally Sensitive Lands)

Applicant Contact:

Michael Leary
480-651-1111
michael@learygroup.net

City Contact:

Doris Mobley, Senior Planner
480-332-4214
dmobley@scottsdale.gov

Per Application # 2018-2018 Available in City of Scottsdale 480-332-4200

Project information may be researched at: www.scottsdale.gov
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Project information may be researched at: www.scottsdale.gov

10/26/18 13:33:53

Community Input Certification



CASE NO: 93-PA-2018

PROJECT LOCATION: 10101 E. McDowell Mountain Ranch Road

COMMUNITY INPUT CERTIFICATION

In the City of Scottsdale it is important that all applicants for rezoning, use permit, and/or variances inform neighboring residents, affected school districts, and other parties that may be impacted by the proposed use, as well as invite their input. The applicant shall submit this completed certification with the application as verification that such contact has been made.

DATE	NAME (Person, Organization, Etc. and Address)	Type of Contact		
		Meeting	Phone	Letter
10/26/18	750' PROPERTY OWNERS			X
10/26/18	Interested Parties			X
10/25/18	McDowell Mountain Ranch HOA PRESIDENT	X		
10/30/18	CHRIS RICHARDSON, MMR GM			X

Michael P. Leary
Signature of owner/applicant

11.3.18
Date

Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

McDowell Mountain Community Storage

OPEN HOUSE 11.07.18

[illegible]

City Notifications – Mailing List Selection Map

